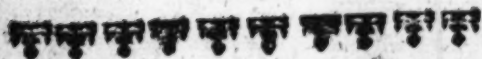




*Legi Concionem hanc, dignam
que censui, quæ publicâ Luce
donetur.*

*Datum, Episcopo
Thorpe, juxta
Eboracum, Jun.
29. 1665.*

*Edm. Diggle, S. T. P.
Reverendissimo in Chri-
sto Patri, ac Domino,
Domino Richardo Ar-
chiepiscopo Eboracensi &
Sacris Domesticis.*

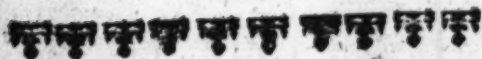




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Sacris Domesticis.*



A

B.A.

SERMON

Preached at

CARLISLE,

Aug. 17. 1664.

By A. Smalwood. D. D.

Don: Fleming

T O R K,

Printed by Stephen Bulkley,

1665.

A

SERMON

Preached at

CARLISLE

Aug. 17. 1864

By A. J. Smith, D.D.

Y. O. K.

Printed by S. J. B. B. B.

1865

**To the Honourable, and
Loyal Sir Philip Mulgrave
Knight and Baronet, Mayor
of the City, and Gover-
nor of the Garrison of Car-
lisle; and the rest of the
Noble Gentlemen of the
County of Cumberland,
the Candid Auditors of this
Sermon, the humble Author
wishes all happiness.**

IT pleased some of
you to put me first
upon preaching, then upon
Printing this Sermon:
I

The Epistle Dedicatory.

I have obeyed your
Commands, you have
your desire: may God
have the glory, the peo-
ple the benefit, and the
contentment will re-
sound to

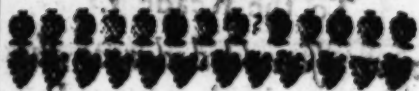
Your humble

Servant

J. S. M. A. L. W. O. O. D.

To

ry.
our
ave
rod
co-
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re-



To the
READER,



THE Reverend
Judges of the
Circuit desired
that the Sermon
should be ended by ten a
Clock, in respect of the mul-
tiplicity of their occasions.
Whereupon I was enforced
to omit much of what was
prepared, and somewhat
was

To the Reader.

was also added during the time it lay by me. But whatsoever was not then uttered in the Pulpit, is marked in the margin by ^{or} half-moons: The rest is the Sermon Verbatim, as it was spoken, without any change, addition or diminution. Besides, after it was preached, some of the Gentlemen that desired it might be sent to the Press, furnished me with some Papers (some printed, some written) by such persons

To the Reader

7.

persons as were of contrary
Judgment: upon those as
often as I find them of-
fering any Reason against
what I have here insert-
ed, I have bestowed some
Marginal Annotation or
other referred to the place
whereto it relates, by some
of these Characters * † ‡
&c. In all that I have
here spoken or writ, I
have proceeded sincerely
and according to the di-
ctates of my Conscience,
and am perswaded that
there

To the Reader

there is nothing laid down,
 but what is perfectly conso-
 nant to Truth, Reason, and
 Religion: and if any thing
 can be discovered herein to
 be otherwise, I shall wil-
 lingly retract it, freely sub-
 mitting mine opinions to the
 Doctrine and Judgment
 of the Church of Eng-
 land. Of my Readers I
 shall desire nothing, but
 that they peruse this Ser-
 mon and Notes with impar-
 tial and unbiased affecti-
 ons, and an earnest desire

9.
To the Reader.

to find out the Truth, and submit to it. Let them weigh seriously what here they find, and the Lord give them right judgment in all things. If ought seem obscure, I shall be willing to clear it, and if any rational objection be made, I shall be ready to give them satisfaction: but shall not put my self upon the trouble to take notice of any loose discourse wherein I find many Words and little Matter.

Si



in execution, as to no more
 S. Mat. 5:34.

But I say unto you, Swear
 not at all.

His peculiar fa-
 vour God had for
 his people *Israel*,
 was evidenced in
 that He vouchsafed to be
 their *Legislator*; not onely as
 to the *Moral Law*, writ with
 his own Finger; but also in
 Ordaining them *political Or-*
dinances (which Divines call
 the *Judicial Law*) far trans- Deut. 4. 2,
 B scending

scending those of other Nations. And because the most wholesome Statutes, not put in execution, are to no more purpose than a Sword rusted in the Scabbard. He therefore that they might be observed duly, and Justice administered equally, appointed Judges. Ever blessed be God that we are not defective in either particular, having to enliven our Laws, (and it is now near 500. years since that Institution) Justices itinerant, that like so many Sambuels, Judge our Israel in their several Circuits. Whose Authority, though as to the designation of their Persons, and

Deut. 16.
18,

1 Sam 7.
16.

Deut. 16.

So extent of their Power it be
 delegated to them by Com-
 mission from his sacred Maje-
 sty; yet their Office is from
 Heaven: *Ego dixi dii estis*; *Psalm 82.*
 God himself calls them
 Gods; that is, by substi-
 tution from him, to mind
 them, that they should act
 according to his good plea-
 sure in the dispensation
 of impartial Justice; which
 notwithstanding cannot be
 effected, unless Truth in
 the Cause be brought be-
 fore them, be made to ap-
 pear by the Information of
 Witnesses, whose Testimonies,
 that they may with greater
 security be relied upon, are
 B 2 to

to be given in upon Oath.

And so it seems it was in the

Apostles days; and before:

Else he could not have said,

Mat. 6; (as he does) *An Oath for con-*
firmation is to men an end of all

strife: Whereupon, it may

seem strange, that I have

chosen a Text; which in ap-

pearance, so flatly opposes

the ground of Legall pro-

ceedings, But I say unto you,

Swear not at all.

Mat. 23; To clear mine intentions,

you may please to take no-

tice, that there are two sorts

of men that doe violence to

my Text. The one winds it up

to too high a note, as though

our Saviour had thereby ab-

solutely

solutely forbidden all kind
 of Swearing whatsoever:
 This error, as far as I can
 trace it in Antiquity, had its
 rise from that Saint in show,
 but indeed grand Heretique
 ' *Pelagius* : For I find a Let-
 ' ter from one *Hilary*, written
 ' it seems from *Syracuse* (and
 ' therefore, as it is certain,
 ' that it was not that fa-
 ' mous Father and Bishop of
 ' *Positide*, who goes under
 ' the name of *St. Hilary*, for
 ' he was dead above 20. years
 ' before *St. Austin* was Bapti-
 ' zed ; but *Hilary* afterwards
 ' Bishop of *Arles*.) to *St. Au-*
 ' *stin* concerning this matter,
 above 1200. years agoe ; for

Epist. 38.
 & 39.

as for Polycarpus St. John's
viſ. hiſ. Pileg. lib. 3. Para. 2. Antiq. 1.
 Schollar, and by him ordain-
 ed Biſhop of Smyrna, he re-
 ſuſed not Swearing in gene-
 ral, but that Oath that was
 rendred him, to wit, by the
*Euseb. Re-
 ſol. hiſ. lib. 4. c. 15.*
 fortune of Caſar. And Baſi-
 lides, a Martyr not 40 years
 after, denied alſo to ſwear;
 but that was *More Ethnicis
 per Deos Gentiles* (ſay the
Cent. 3. cap. 6.
 Centurists) after the ſaſhion
 of the Heathen, and by their
 Gods: Which may be con-
Apel. cap. 8.
 firmed by that of Tertullian,
 who lived at the ſame time,
 when Baſilides ſuffered, *Sed
 O-juramus ſicut non per Ge-
 nios Caſarem, ita per ſalutem
 eorum, quæ eſt anguſtior omni-
 bus*

bus Genils : They would Swear not by the *Genii* of their Emperors (which they esteemed Devills,) but by their safety, that is, by God, from whom cometh health and salvation ; A notable monument of the judgement, and practice of the *Primitive Christians* concerning Swearing. But not to digress, This Error reviv'd in *St. Bernards* time, about 500. years since, in the Province of *The louse* in *France*, in a Sect of *Phanaticks* that were called *Henricians*, from one *Henricus* their Master, and *Apostolicks*, because they pretended that they lived

lived according to the Apo-
 stles Doctrine: Against whom
 St. Bernard Preached in his
 65th. Sermon upon the Can-
 ticles, and complained of
 that Henry to Hildefonse
 Earl of St. Giles, in his 240.
 Epistle, wherein he menti-
 ons, That the Bishop of
 Hostia in Italy was sent from
 the Apostolick See, to root
 out the Tares, which that
 Heretique had sown in Gods
 Vineyard. Which notwith-
 standing, the *Albigenses*, or
Albienses, as some term
 them, in the same Province,
 no doubt, sprung from the
 same root, who denied all
 manner of Swearing; but
 were

were refuted publicly, in the year 1176. (as says *Spondanus* in his epitome of *Baronius*) by the Arch-bishop of *Lions*, and their opinions, and particularly this against Swearing, were condemned in a Provinciall Synod; as themselves were also, not long after, in the third Council of *Lateran*, of 280. or (as *Gulielmus Tyrinus*, who was there present, says) of 300. Bishops under *Alexander* the third. But (alas) notwithstanding all these endeavors for the suppression of this Error, it was resuscitated by *Wicliff*, and his followers; & again amongst us, during our

Judg. 17. our late distractions, *When*
 17. *there was no King in Israel :*
but every man did what was
right in his own eyes. Which
 error, though masked under
 the fair colour of a more
 than ordinary piety, tends to
 the overthrowing of all Ju-
 dicatories, and taking away
 the decision of all emergent
 suits, and controversies. And
 were it granted, we should be
 necessitated, if not to disown
 the *Magistrates Authority*, yet
 to disobey their *Legal commands*,
 as having a countermand
 from Christ himself, *I say*
unto you, Swear not at all.

Isa. 2. The other sort are men of
 Atheisticall Principles, such

have no fear of God before
 their Eyes, who in despite
 of my Text, dare Swear, not
 onely commonly, rashly, pro-
 phanely; but falsely, and that
 upon set purposes, and with
 deliberation, whereby inno-
 cent persons may be berea-
 ved of their lives, and any
 man of his just Estate. The
 former go disguised in the
 habit of Angels of light:
 but these, admit not possibly
 of any disguise, but walk in
 their proper colours, as black
 as outer darkness. And yet
 these are more ancient than
 those; for I find the Prophet, *But*
 complaining of such, *Though* *Jer. 1. 18.*
they say, the Lord lieth, they
Swear

Swear *falsly* : The former
 would abolish *Judiciall* pro-
 ceedings, and make them no-
 thing : These would corrupt
 them, and render them (if
 possible) worse then nothing.
 To induce the former to re-
 linquish so irrational an opi-
 nion ; and the latter to for-
 sake so criminal a practice,
 that God may be glorified,
 our Judgements rectified, our
 lives amended, our Estates
 secured, and just obedience
 to the King and his Laws
 performed, was my designe
 in the choice of these words.

And these, I hope, by Gods
 blessing may be effected ;
The Explication of my Text,
 will

will serve for the one : And
 the Application for the other.
 And when I have, by the as-
 sistance of Heaven, and your
 Noble Patience posted over
 these two Stages, I shall no
 longer entrench upon your
 weighty occasions. I begin
 with the former, The Expli-
cation of the Words. And
 here, be pleased to give me
 leave to proceed, First, Neg-
atively, And secondly, Affir-
matively. Negatively, what is
 not the purport of these
 words. And Affirmatively,
 what it is. For the former,
 I lay down this Proposition,
Our Saviour did not intend by
these Words, Swear not at all,
 an

an absolute, universal, and unlimited Prohibition of all manner of Swearing; And that I prove:

308.5. First, it is a Principle of the Christian Faith, that the Father and the Son are one, and the same God; that is, of the same Nature, Power, Wisdom, Immutability, and Eternity: To deny this, were horrid blasphemy. Now, if they be of the same Wisdom, they are of the same Will; and if they be of the same Will, they cannot issue forth contrary Commands, for so there should be a contrariety, or a mutability in their Wills, and consequently,

quently, they should not be one, and the same immutable God; But God the Father, has * commanded swearing, Thou shalt fear the Lord

* Master
Crook, Mr.
Fisher,
Morgan,
V. V. V. V.
(as I under-

stand them) and others, I take it, do confess, That Swearing was once commanded by God; but deny that that Command was part of the Morall Law, because that then, swearing should be performed as a duty continually: though no Magistrate requires it, which, it seems, they think to be very absurd. But I conceive it to be no absurdity to seldom Touch whether so ever it is said, and doubt not at all, but that a man ought to swear, but continually; For affirmative Precepts bind constantly, but not ad semper. As a man is obliged to hear Sermons, but not continually; for he should do nothing else; but whensoever there is a necessity for an Oath: which may happen, not only when it is imposed by a Magistrate, but whensoever he cannot otherwise do that good or his Neighbour that Charity requires, and the neglect thereof is a kind of Omission. In this doing his Brother has good Office that lawfully he might, and therefore ought to have done. And this is interpreted, if the lawful Magistrate (to whose Will, and Legall Command, by Gods Law, we are to yield Obedience) require an Oath of him to refuse the Truth, and he refuse it. For thereby he withdraws his due subjection from his Superiours, and in much as in him is, affronts the course of Justice, and (in some cases) hinders the preservation of his Neighbours Person, or Estate. And let any man judge, whether these be not grievous sins. To say there be many that swear rashly, and prophesitically in their ordinary discourses, is (alack too true, but impertinent. For Virtue is placed in the medium, between two extremes; (on either hand) which both are (more or less) vicious. And therefore to say, there be too many covetous people in the World, is no excuse for a Prodigal. In like sort, to say there be too many lawd Swearers, neither excuses, nor extenuates his fault, that will not swear when he ought. Let these then whom it concerns, not suffer themselves henceforth to be deluded, nor plunge themselves into a certain sin, whilst they pretend to a degree of Piety above others, lest they be enrolled in the Catalogue of those foolish people mentioned by the Poet, who

Dum vitant vitia, in contraria currunt.

thy

thy God, and serve him, and
 shalt Swear by his name, Deut.
 6. 13. And therefore it is
 not possible that God the
 Son should forbid it.

Sabb. 6. At quid Verba audio, cum
facta videam? saies not the
 Text, Swear not at all? I
 answer, That where there
 is an *antinomia*, a seeming
 contradiction in Scripture,
 (which cannot possibly be
 real, the whole Scripture
 being exactly true) there by
 some commodious Interpre-
 tation, the places are so to
 be expounded, as to admit
 of a fair reconciliation one
 with another. As when we
De. 4. 4. reade, *Sacrifice and Offering,*
ebon

then did not desire; we cannot understand it, (how plain soever it appears) as to the Words at the first view seem to import; because it is clear, That God required Sacrifices and Offerings in the Leviticall Law, which was in force in the Psalmists daies. So we cannot understand our Saviours words in the Text, in that latitude, that some interpret them, as generally prohibitive of all Swearing, seeing God has required it no less, then he did, his own Service and Worship in the Moral Law.

If any alledge in contradiction to this Argument;

C

That

(11)

That Christ abolished the Ceremoniall and Judiciall Laws once commanded by God, (though Objections be no Answers) I must deny that Assertion. For we were never under the Judiciall Law, it being given solely to the *Jews*, for the regulation of their *Common-wealth*, so long as they enjoyed it, and that in their *own Land*; and therefore, it was never obligatory to us, that neither are *Jews*, nor ever dwelt in *Canaan*: And what was never imposed, need not be abolished.

Deut. 4.
24.

2d. 8.

As for the *Ceremonial Law*, it was merely temporary, as appears

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appears by the Sacrifices ty-
pifying the death of Christ
to come, and therefore cea-
sed of it selfe at our Savi-
ours Death, and was not at
all * abrogated, but obser-
ved by him in his life. So
when a Parliament Enacts,
That a Law shall continue
in force for seven years, and
no longer ; at the end of
that terme (though during
that season, it obliges as
much as any other) it ceases

* If to
the con-
trary,
That of
the Apo-
stle, Eph.
2. 15. be
objected ;
I answer
That
Christ
may be
said to
have abo-
lished the
Ceremo-

nial Law, not by repealing it, but by dying ; at whose
death it expired. So the High Priest dying, might be
said to free the Man-Slayer from his Confinement,
(which during his life, he could not, either by disa-
nulling, or dispensing with the Law, Num. 35.) be-
cause at the High Priests death, the Man-slayer had
liberty to live at home securely ; who by the Law was
confin'd to some City of Refuge, until the High Priests
death.

of it self, and is not properly
 said to be repealed, but
 expired. In like manner,
 our blessed Saviour, cannot
 be properly said to have re-
 pealed the *Ceremoniall Law*
 Enacted by his Father; but
 is expired of it self. The
 greatest humane wisdom
 may think fit to Enact a
 Law, which after, upon
 some emergent, and unfore-
 seen inconveniencies, may
 with Reason be Repealed.
 But it is not so with the un-
 erring Wisdom of God,
 who foresees all things pas-
 sible, *ab Aeterno*. Hence I
 may Conclude, Seeing God
 the Father has Commanded
 10 c 3 Swearing,

Swearing, that God the Son
has not forbidden it.

Secondly, Because some, *Scilicet* 9.
without any colour of Reason,
or possibility of proof,
pretend that Swearing was
onely * a Ceremonial Rite ;
(whereas on the contrary,
God himself ranks it with
his fear, and service, Deut.
10. 20. which certainly are
Moral.) I argue thus, What
at all times, as well under
the Gospel, as under the
Law, as well amongst the
Gentiles, as the Jews, tends
in an especiall manner to
the Glory of God, that is nei-
ther a Ceremoniall Ordi-
nance, nor forbidden by
C. 3) Christ.

* Mr. Fi-
sher takes
Swearing
for a Cere-
mony. And
of that
kind are
many of
that Sort.
Yet John
Wigton in
his Paper,
directed
from Lan-
caster Ca-
stle, to
Judge
Twisden,
would ra-
ther place
it amongst
the Judi-
ciall, Ex.
23. 10,

Concordance of the Old Testament, in the word *nishbang*)
ישבנג and *ישבנג* (If the word *nishbang* be
 rightly rendered by *swear*, as sometimes it is to swear.
 Thus *ישבנג* is used for an Oath by Iudas Martyr in his
 second Apol. 27 for Christians: as appears by the Context. And
 so Iohannes Lange, their Translator is. And if so, why then
 may not *ישבנג* denote, a Confession upon Oath?
 And hence, that *ישבנג* on the place (111) is. That is Or-
 pene's Greek Bible (made up of the 700, and Theodotion's
 Translation) in this verse, after the word *ישבנג* the Particle
אין is inserted. *אין* (I say he) *וין קושדאן ושגנדי* ha-
 ber, as scripse Vir doctissimus Theodorus Gaza. And for
 the other Text, of John 9. 24. it is not very probable, that
 when the Pharisees were dissatisfied with the account, the
 Sadducees who had given them, how he had obtained
 his sight, his examination should be, *אין* *ישבנג*; Nor could
 we know what other so fit sense can be given of what they
 said, Give God the praise: As the Reader consider and
 judge.

How
 be thought to be prohibi-
 ted, Such, I say, is Swearing;
 For he that Swears by God
 for the confirmation of an
 unknown Truth, acknow-
 ledges his Omniscieney, in dis-
 cerning whether he speak
 truly, or no; and his Power

in being able; and his Ju-
 stice, in being willing, to
 punish such as swear falsely.
 And does not he acknow-
 ledgment of Gods *Wisdome*,
 (in discerning the secrets of
 all hearts) and his Sovereign
 Power, and Impartial Ju-
 stice, in the Punishment of
 Offenders, tend much to the
 Glory of God? And that as
 well now under the Gospel,
 as it did before under the
 Law? Nay, (it is a part of
 that *extraordinary* Gods peculiar fel-
 icity, that is incommunica-
 ble to any Creature. Hence
 that prohibition to swear
 by Creatures, because there-
 by, we should yield to them

that

that Honour, that is due to
God alone. The Glory of God,
is the end of our Creation.

And therefore, what ever
highly advances that, must
needs be good, and consi-
quently, liable to no prohi-

bition. Surely Christ, who
Honours His Father, and

who came from Heaven, not
to doe his own will, but the

will of him that sent him,
would not, did not prohibit

what God had so clearly ex-
press'd to be his will, and what

so eminently conduces to
his Glory.

Thirdly, If Christ's pur-
pose here, be utterly to

abolish swearing, as an ille-
gitimate

Mat. 5. 34. 35.

'gitimate Brat of Jewish
 'extraction, not to be ad-
 'mitted into the Christian
 'Church; then it must be,
 'either as it is †repugnant
 'to our Duty to God; or else
 'to our Neighbour; for into
 'that Summary, he has con-
 'tracted the whole Law.
 'And I freely confess, That
 'Perjury is in both respects
 'exceeding culpable, as high-
 'ly tending to the disho-
 'nour of the God of Truth,
 'who is called thereby to
 'the attestation of a lye,
 'and to the injury of men,
 'who thereby may lose their
 'lives, lively-hoods, or what
 'else is dearest to them in
 'this

† rbi in
 Radol-
 phus
 Qualche-
 rus' Ar-
 gument.
 upon Heb.
 6. Non
 est
 Deus
 qui lan-
 dam illius
 non ad-
 munit,
 nec a-
 fect
 proximo,
 ergo non
 juramen-
 tum pro-
 hibet.

101. B. 2

' this World : *Perjurium pec-*
 ' *catum esse, & grande pecca-*
 ' *tum nemo dubitat*, saies Saint
 ' *Austin*. And I grant like-
 ' wise, That frequent, and
 ' customary Oaths, upon
 ' slight, or (possibly) no oc-
 ' casion, are both extremely
 ' derogatory to the Majesty
 ' of that infinite, and in-
 ' comprehensible Essence, to
 ' whom *all Knees must bow*,
 ' and whom we are not to
 ' name without *Internall Re-*
 ' *verence*, and *Adoration*; and
 ' also in great measure scan-
 ' dalous to such as heare
 ' them. Many of the *Fathers*
 ' Preached so * often, and
 ' with

serm. 28.
 de Verbis
 Apost.

St. Chrys.
 Coloss. 3.
 Preached
 13. Sermons
 of Roper
 lum Antio-
 chian. 150
 extant : and
 in 17. of
 them, which
 follow the
 text, are
 particularly one after another, (and only repeated) he says, *righteousness, or light,*
(and so forth of them very largely) against this sin of swearing.

' with so much vehemency
 ' against this vicious Cu-
 ' stome, that they fell under
 ' suspicion of disallowing all
 ' Swearing. And St. Austin
 ' punished every such Oath
 ' in those of his own Family
 ' by the forfeiture of some
 ' part of their wonted Or-
 ' dinary, (as Possidimus re-
 ' cords in his life) the sooner
 ' to withdraw them from
 ' that prophane. Hence it
 ' cannot be denied, but these
 ' Oaths may, and ought to be
 ' restrained as offensive, and
 ' insolent breaches of our
 ' duty both to God and Man.
 ' But such Oaths as are ad-
 ' visedly, and reverently
 ' taken

I do talke
 Chryso-
 stome, 1.
 2. proferat
 the life
 Asidit
 against
 swearing, if
 any (saies
 he) doe
 perceive
 himself, to
 be in the
 state of sin
 when add-
 ed with
 any
 sin
 the
 state of
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 the
 state of
 sin
 the
 state of
 sin

' taken upon necessary occa-
 ' sions, are so far from being
 ' displeasing to God, or hurt-
 ' full to Men; that on the
 ' contrary, they are accepta-
 ' ble to the one, and advan-
 ' tagious to the other: *Nihil*
 ' *gratius Deo possumus offerre,*
 ' *quam jure jurare,* saies Sr.
 ' *Austin.* And by them Prin-
 ' ces are secured of their
 ' *Subjects Allegiance,* and Ge-
 ' *neralls* of their *Soldiers* fi-
 ' delity, and *Subjects* assured
 ' that their *Princes* shall not
 ' degenerate into *Tyrants*;
 ' *Leagues* confirmed between
 ' *Nations*; *Peace* conserved;
 ' *Mutual Commerce* and *Træ-*
 ' *dine* confirmed, every Man
 ' just

Enarrat.
 in PC. 138,

'Just Right maintained; Of-
 'fenders discovered, and du-
 'ly punished; and Contro-
 'versies and Suits decided.
 'And these are such great,
 'and good ends, that Men
 'cannot subsist in any de-
 'gree of security, or happi-
 'ness without them. Here-
 'upon *Julian* the Apostate,
 'the most subtile Enemy
 'that ever Christianity had,
 'Skoffed at this Precept,
 'Swear not at all, (being wil-
 'ling to understand it in the
 'utmost latitude) as de-
 'structive to all Government,
 'and humane Societies, which
 'unless we would verifie (as
 'I see not but we must, if
 'we

we expound the words as
Julian did) we shall be en-
 forced to profess that *false*
 and *vain* (but not at all
 necessary) Oaths, were here
 prohibited.

I may add, Swearing by *sa. n*
Creatures, it being Idolatry
 to ascribe that honour to
 them, that is peculiarly
 due to the *Creator*. But the
 disannulling of such Oaths,
 as are taken by such things
 as are no Gods, does not
 restrain, but rather con-
 firme the use of those that
 are lawfully taken by *God*.
 And therefore, as *Swearing*
 by false Gods, is *forbidden*, *Isa. 29.*
 lest thereby, they should
 be

'be owned for *Deities*. So
 'Swearing by the true God,
 'ought not to be forbidden,
 'because Men thereby ac-
 'knowledge his *Divine Na-*
 'ture.

2. 8. 12.

'Fourthly, Had *Christ* en-
 'tended Universally to for-
 'bid all kind of Oaths; it
 'had been sufficient to have
 'said, *Swear not at all*; be-
 'cause a *General* includes all
 'Particulars; and so these
 'following expressions, *Nei-*
 'ther by *Heaven*, nor by the
 'Earth, neither by *Jerusalem*,
 'neither by the *Heath*, had
 'been useless, as being evi-
 'dently included in the ge-
 'nerall prohibition forego-
 'ing.

So 'ing. As he that saies, No
 God, 'Substance is a Quality, needs
 den, 'not add, neither Heaven, nor
 ac, 'Earth, nor Man, nor Beast,
 Na, 'for all these are compre-
 en, 'hended in the word Sub-
 for, 'stance; and therefore the
 ; it 'enumeration of severall
 ave 'Substances were altogether
 be, 'superfluous, and vain. But
 all 'it were highly blasphemous
 ese 'to say, That our blessed
 lei, 'Saviour who condemns all
 the 'vain Words, did himselve
 use them in his Sermon. Mat. 18.
36.

' Besides, the following Jes. 13.
 ' words were in probability
 ' added, for the illustration,
 ' or explication of the former.
 ' But had he meant, That
 ' no

'no Oath should be used
 'upon any occasion, these
 'subsequent words, are so
 'far from giving light to the
 'preceding, that they have
 'much obscured them. For
 'had he said no more, but
 'Swear not at all, it might
 'have been thought, that he
 'had disallowed all Oaths;
 'whereas, his descending to
 'this, and that Creature in
 'particular, may rationally
 'imply, that his purpose was
 'only to forbid all such
 'Swearing, and not that
 'which was formerly en-
 'joyned. And surely, these
 'words, as they are laid
 'down in the Gospel, might
 'well

'well be spoken without
 'any intention to forbid
 'Swearing by God. For from
 'this Proposition, *Swear not*
 'at all by this, or that *Crea-*
 'ture; it cannot be Logical-
 'ly inferred, that we ought
 'upon no occasion to *Swear*
 'by the *Creator*. But on the
 'contrary, it seems, that
 '*Christ*, lest any should con-
 'ceive, that he forbade all
 'kind of *Swearing*; to pre-
 'vent that mistake, adds,
 'Neither by *Heaven*, nor by
 '*Earth*, &c. thereby mani-
 'fessing what kind of *Oaths*
 'he would have disused.
 'If any dislike this Inter- *Sic 19*
 'pretation, I would gladly
 D 2 'know

know what other sense
 these words can import; or
 what the enumeration of
 these severalls, *Heaven,*
Earth, Jerusalem, thy Head,
 can add to a generall nega-
 tive, which comprehends
 all them, & more: Or how
 can they be thought not
 to be superfluous, if they
 mean nothing, but what
 was plainly expressed be-
 fore? The learned *Calvin*
 was of this opinion; for he
 saies, *Si ad substantium re-*
feras particulam, omnino ac si
nulla exceptione illicitum esset
quodvis iuramentum, quor-
um explicatio quæ max addi-
tur; neque per Cælum, neque
per

Instit. l.
 2. cap. 8.
 sect. 26.

Ps. 2

per terram, &c. As wise a
 man as he was, (and our
 judicious Hooker saies, He
 was incomparably the wisest,
 that ever the French Church
 had since) yet, it seems, he
 could not vindicate these
 words from being super-
 fluous; unless the Word
omnino were referred to
 them, and not to the Act
 of Swearing. And then the
 sense of this Verse in the
 utmost extent thereof will
 be no more than this; I
 Command you, that you shall
 not upon any Consideration
 whatever, Swear by any
 Creature, which is not at all
 exclusive of such Oaths, as

'God before had Commanded-

'Fifthly, Christ never for-

'bad any thing, but what

'was of it self & intrinsical-

'ly evil, as may be proved

'by Induction; For he for-

'bids Anger, and abusive

'Language, sect. 22. and they

'are evil; he forbids Lust,

'sect. 28. and that is evil;

† My Fi-
ther in his
answer
to Bishop
Gauden
saies, That
some
things are
Prohibi-
ta quia
mala :

and some

things are, Mala, quia prohibita; evil to us, merely be-
cause forbidden: And of this sort (he saies) are these Ce-
remonies, Circumcising, Sacrifices, Swearing, &c. By which
words, he plainly acknowledges, That Swearing, is neither
in it's own Nature, nor in any other respects evil, save
onely as it is forbidden by Christ. But I say, That our
Saviour did never universally forbid any thing, but what
was in it self evil, or in some respect conducing thereto. Which
If he deny, I would gladly hear but one instance in any par-
ticular thing whatsoever, which being of it self either good,
or indifferent, was generally, and perpetually forbidden by
Christ (so that it should be lawful for none afterwards to
do it) as he forbids Swearing in the Gospel, or in all the New Testament any such prohibition, he
may easily be produced: If not, the doctrine of Mr. Pithers
is vain.

'he

he forbids *Divorce*, saving
 for the cause of *Fornicati-*
on, sect. 32. And *Swearing*
 by *Creatures*, and they are
 evil. And the same Rea-
 son may be rendred of all
 his *Prohibitions*. And there-
 fore, what ever he forbid
 was evil, and that in it
 self, and not meerly as for-
 bidden. But such *Swearing*
 in generall, is not : For that
 hath not onely been the
 Practice of holy Men ; but
 also an *Angel* did Swear,
Dan. 12. 7. And so another,
 (which according to many
 Interpreters, was Christ)
 Swore by him that liweth fore-
 ver, *Ever Rev. 10. 6.* Besides

In Heb.
6. Jurat
enim &
ad Christum
in E-
wangelio
dicens
Amen, A-
men dico
vobis.

Harm :
Evang. c.
11. peris.
3. in lo-
cum.
De G. Biel
1. 3. diff.
19. A. 2.
1. vel. 1.
Amen, A-
men est
jurare,
&c.

our Saviours *Amen, Amen*,
24. times used in St. John's
Gospel, according to the
Judgement of St. Ambrose,
(if he be the Author of that
Comment upon the Hebrews,
which is Printed with his
Works) amounts to an Oath.
So that very Learned & judi-
cious *Lutheran Chemnitzius*,
states expressly, That Christ
Swore ; and proves, that
Amen, is, formula jurandi,
out of Heb 6. 13. 14. re-
ferring the Greek Parti-
cles *ἡμῶν* to the Hebrew,
Amen ; which *ἡμῶν*, (sayes
our Lexicographer) Fre-
quentissimum usum in iure
jurando habet. And although
an

' an Oath be there mentio-
 ' ned, there is none exprest,
 ' unless that *Amen* be it. Nor
 ' is Mr. Nicholas Fullers ob-
 ' jection against it of force,
 ' That there is no Oath,
 ' where God is not inter-
 ' posed, if by *Amen*, *Apoc. 3.*
 ' 14. *These things saith the*
 ' *Amen*, be denoted the Per-
 ' son of Christ, as Exposit-
 ' tors tell us. And indeed,
 ' What else can it be? A
 ' like instance is in *Isay 65.*
 ' 16. for where our Transla-
 ' tion Reads it, *The God of*
 ' *Truth*; in the Originall it is,
 ' *Be lobe Amen*; and in the
 ' vulgar Latine, *In Deo Amen*,
 ' where *Amen* seems to be
 ' either

Miscel. 1

1. c. 1.

either a Name, or an Epithite of God. So also St.

In Ezek.
26.

*Hierome, In veteri Testamento, Dei juramentum est, vivo Ego, dicit Dominus in Novo autem, Amen, Amen dico vobis. And this is the opinion of our Church, as is plainly exprest in the former part of the Homily against Swearing, in these words, * Our Saviour Christ did Swear divers times, saying, Verily, verily. And it cannot be denied, That God himselfe Swore, The Lord hath Sworn, and will not repent, Ps. 110. 4.*

* And
this is the
same, that
is asserted
by Saint
Chryso-
stome in
Heb. 6.

Heb. 6
v. 16
v. 17
v. 18
v. 19
v. 20
v. 21
v. 22
v. 23
v. 24
v. 25
v. 26
v. 27
v. 28
v. 29
v. 30
v. 31
v. 32
v. 33
v. 34
v. 35
v. 36
v. 37
v. 38
v. 39
v. 40
v. 41
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v. 77
v. 78
v. 79
v. 80
v. 81
v. 82
v. 83
v. 84
v. 85
v. 86
v. 87
v. 88
v. 89
v. 90
v. 91
v. 92
v. 93
v. 94
v. 95
v. 96
v. 97
v. 98
v. 99
v. 100

Quomodo juravit Pater ita etiam filius jurat. per se, dicens, Amen, Amen dico vobis. So Theophylact, in Heb. 6. so the very same purpose, in Amor 9.

The

The like may be found
 in severall places of Scri-
 pture, as St. Hierome saith,
*Jurantem Deum sapius Scri-
 ptura describit.* Now since
 the holy Ghost bears wit-
 ness, that not onely the best
 Creatures; but also that the
 Creator himself swore: It ap-
 pears undeniably, That
 Swearing is not Morally, and
 of it's own Nature evill.
 And St. Austin, upon this
 very ground, affirmer it to
 be no sin, *Jurat Deus qui
 peccatum non habet; non ergo
 est peccatum jurare.* And
 therefore, we must either

* This may
 also be
 further
 proved,
 because
 God once
 command-

ed Swearing, which therefore cannot be intrinsically evil.
*Non enim peccatum præcipitur nobis, saith Saint
 Augustine, Sermon 28. de Verb. Apost.*

say,

say, That *Christ* forbade that which was not evil, but good, † (which I think no man will) or else some other sense must be put upon these words than that which implies a totall Prohibition of Swearing.

† A like argument might be formed thus: *Christ* never forbade any thing in it selfe good, as Swearing is, which has many good ends and purposes, both in respect of God and Men.

Sect. 16. Sixthly, Either these words, *Swear not at all*, must be so interpreted, as not to forbid every Oath, though taken upon a just occasion, or *St. Paul* never knew the meaning of this Text, or els contrary to his knowledge, and that upon set deliberation, he added against it, and that in those very writings wherein we all

all beleeve, that he was infallibly assisted by the holy Ghost. For his Oaths are upon record, 1 *Thes.* 2. 5. *God is witness.* So *Rom.* 1. 9. and in several other places.

† Now to call God to witness

† There is
a little
Pamphlet

extant, called, *Supplementum sublatum, in answer to Mr. Tombes*, by Richard Hubberthorne, and Samuel Fisher, who deny that these expressions, I asseme before God. God is witness, &c. are Oaths, because were these Oaths, then the Apostle did Swear frequently and unnecessarily, in respect his credit was so good amongst the Saints to whom he did write, that his words would have been taken at any time without an Oath. *Answer*, That though he swore several times, yet never unnecessarily. For had he not judged those Oaths necessary, he would not have used them. And he knew better in what credit he was with his Countrymen, than either Mr. Hubberthorne or Mr. Fisher. I assure St. Austin was not of that judgement, For he says (*serm.* 28. de verbis Apost.) *Videbat ibi, (that is amongst the Galatians to whom he had used this expression behold before God I lye not, Gal. 1. 20) eos qui credebant, videbat & alios qui non credebant. Thus St. Austin with an undeniable evidence of Reason. For if all had so readily believed his word, how came it to pass that some, even of the beleevers, disputed against his Doctrine? Acts 15. Or what need had there been for him to have written (as he does *Rom.* 9. 1.) I say the truth in Christ, (or by Christ) I lye not? which*

tran.

Translation (by Christ) Mr. Fisher in his Antidote carps at, because it is in Greek οὐκ ἔστιν. And yet it is the same word, (as he knows, I doubt not) that is here translated by Heaven, by Earth, &c. Mat. 5. 34. 35. 36. But not to digress, it is not probable to be as they imagine: For were their Argument good, as there had been no need of such Oaths, so neither of such vehement Asseverations, as they themselves take these to be. And then it would follow, that the Apostle wrote what he needed not, which to assert favours of blasphemy, if we grant that he writ by inspiration from the holy Ghost. But if these be Oaths, how is it (say they) that the Judges and Justices in Sessions will not own them as so? And then they triumph saying, Surely the Magistrate in England does not believe the Priests Doctrine. I answer, (1.) I have heard a great Magistrate say, That such Oaths should be accepted by him. (2.) I suppose that they are accepted by such as be in Authority so to do, when they are persuaded of the fidelity of the Swearer. For I have it under the hand of Mr. Isaac Pennington (one of the most considerable of that Fraternity) that he once gave satisfaction, which he heard sound acceptance with the Court to which he gave it, and also to the King, &c. (3.) The same I. P. gives a Reason why that favour is not indulged to all. His own expressions are these, (Many words have been spoken by severall eminent Persons (as hath been often related to me) of their belief and satisfaction in relation to our words, and a good inclination in them several times to accept thereof in stead of an Oath, if they knew but how to exclude others from the like indulgence whom they were more jealous of. (4ly.) Inferiour Magistrates (such as they speak of) are sworn to act according to Law: And the Law prescribes (as I understand) in what manner, and with what formality Oaths are to be taken, which it is not in their power to dispense with, or vary from pro arbitrio. And therefore though they firmly believe that calling God to witness is an Oath; yet they are not at liberty to accept

accept thereof, because they are tied up to Rules of Law. And of this me thinks Mr. H. and Mr. F. should not be ignorant, and if they were not, then this Quarre were needless. Lastly, they argue thus, If to say God knows, or God is witness, as in appeal to Gods contestation be Swearing by God; then to say such a man knows, or such a man is witness to the truth of what I say as an appeal to that mans contestation is Swearing by that man. And then they cry out upon such an absurdity. 'Tis strange that men of Parts, and Reason should be so deluded. They might as well have argued, That if a Man may lawfully marry a Woman then a Man may lawfully marry a Beast. I say as well. For as the Essence of lawfull Matrimony consists in the mutual agreement betwixt a Man and a Woman; and not betwixt a Man and a Beast: so the Essence of a lawfull Oath consists in calling God to witness, not in calling Man to witness. I beseech God to open their eyes, that they may discern into what absurdities they fall, whist they vainly dream of putting absurdities upon others.

ness, is the very substance of an Oath. *Jurat* (saith Saint Austin) *qui adhibet testem Deum*. And again, *Hoc est jurare, Deum testari*. And in several passages of his Books, he condemns their ridiculous folly that thinks otherwise:

wise : Were it to any purpose, I could produce more than † twenty Authors of the

Cicero,
Est jus
jurandum as-

firmatio religiosa. *Clem. Alex. Strom. lib. 7. c. 1. ἵρκος μὲν γὰρ ἐστὶν θεολογία καὶ δογματικὴ μετὰ προσευχῶν καὶ ὁρίων.* Juramentum est confessio definitiva cum divina assumptione. *Ambros. ad Valentin. Ep. 30.* Quid est jurare nisi tju. quem testare fidei tue p̄sule, divinam p̄sentiam confiteri? Et in *Præfat. in Luc.* Dominus Naturæ fidei testis adhibetur. So *Saint Chrysostome Hom. 9. in Act. for Swearing usis ibis Persphrosis, τὸν θεὸν ἐκάλουν μάρτυρα.* Deum vocabant testem, *Austin in Psalm. 109.* Inartat. Quid ergo tu facis cum juras? Testaris Deum. Hoc est jurare Deum testari. *And in his former Book de Sermonibus Domini in monte and elsewhere to the same purpose.* *Cyrl. Alex. de Adorat. in Spirit. & ver. l. 6. 'Εὖ δε αἴτιμα τοῖς, &c.* Quod si hæc loquendi forma est, & non ab aliquo contemnatur, tum deniq; juris jurandi usus ad id revocetur, quod est nobis, imò verò universæ creaturæ majus. *Cassiodorus in Psalm. 14.* Jurare est sub attestatione divinæ aliquid polliceri. *Euhym. Zygabon. in eundem.* Juramentum nihil aliud est quàm dictorum confirmatio in qui testem assumimus Deum. *Tho Aquin. 2. 2. Q. 89. A. 1. Conclus. Assumere Deum in testem dicitur jurare.* *And Q. 98. A. 2. Concl. Jurare est Deum testem invocare.* *P. Lombard. l. 3. dist. 39.* In omni juratione aut Deus testis adhibetur, aut creatura Deo obligatur, & oppignatur, ut hoc sit jurare sc. Deum testem adhibere, &c. *G Biel. l. 3. dist. 39 Q. 1. A. 1. brings in several definitions thereof to this purpose.* So *King Henry the 8th. necessary Oath Brike Published, 1543. on the 3d. Command.* They Swear in

: 3117

vain

vain
they
(jurat
confir
ramen
sit test
nes in
sit vin
ligam
Harm
feu in
cordis
quod
sefell
(as i
vini
Exam
1586.
nobis
storu
ter de
abuter
ramen
unicu
ranter
rowe
9. 1.
divini
part
Learn
mentu
dubia
Theol
per q

vain that Swear without lawful or just cause, for that they take the Name of God in vain, although the thing they swear be true. *Calvin Instit.* l. 2. c. 8. §. 23. Est (juramentum) Dei attestatio ~~in~~ veritatem Sermonis nostri confirmandam. *M. Chemnitzius* (in locis, de lege Dei) Juramentum est invocatio nominis Dei, qua petimus ut Deus sit testis de nostro animo, quod non velimus fallere homines in eâ re de qua asseveramus, & simul petimus ut Deus sit vindex, si fefellerimus: & nos ipso teste ad poenam obligamus secundum ipsius comminationem. *And again*, *Harm. Evang.* c. 51. Peric. 3. Est juramentum contestatio, seu invocatio Dei, qua petimus ut Deus qui est Inspector cordium, & patronus veritatis sit testis de animo nostro quod non velimus fallere, & simul, petimus ut sit vindex si fefellerimus. *M. Bonacina* in adum Decalogi Præceptum, (*as they count them*) Q. 1. Juramentum est invocatio divini nominis in testimonium. *Tillemannus Heidegger* in *Examine Theologico, Dedicated to the Duke of Saxony*, 1786. Loc. 19. Juramentum est adseveratio alicujus rei nobis perspectæ cum invocatione veri Dei, ut sit testis doctorum, & iudex severus: innocentem, & veracem clementer defendat: perjurum vero fallentem & nomine divino abutentem puniat, & coerceat. *Pareus* in *Mat.* 5. 34. Juramentum est invocatio Dei, qua petitur, ut is tanquam unicus ~~αυτονομος~~, testimonium dei Veritati, & jurantem puniat, si sciens fallat. *Which definition he borrowed of Ursin.* Q. 102. of his *Catechisme*. *And upon Rom.* 9. 1. *he saies it is*, Species invocationis Dei, & pars cultus divini: (*and then to take that away, isto bereave God of a part of his worship and service.*) *The right Reverend and Learned Bishop Sanderson*, de juram. Præl. 1. §. 2. Juramentum est Actus religiosus in quo ad confirmandam rem dubiam Deus testis invocatur. *I. Wolleblus* *Compend. Theol. Christi* lib. 2. cap. 6. can. 6. Objectum juramenti per quod jurandum solus Deus est. *H. Grotius* de jure Belli

& Pag. 1. 2. 6. 13. § 10. Forma juris jurandi verbis differt, re convenit. Hunc enim sensum habere debet, ut Deus invocetur, &c. *It is said in the first part of the Homily against Swearing, set out by the authority of our Church, Saint Paul Sweareth thus, I call God to witness. Wilson in his Christian Dictionary thus expounds what it is to Swear, sc. To use the name of God in an Oath to witness some matter in controversy for the ending of strife. The Author of that most excellent Treatise, entitled, The whole duty of Man, pag. 101. §. 4. In all Oaths you know God is solemnly called to witness the truth of that which is spoken. Corn. à Lapide in Rom. 14. 11. Est juramentum verum, ac aperta ejus Dei professio, quem ut testem, & perjurum, vindicem appellamus, &c. The Learned Mich. Walther in his Harm. Bib. Deut. 6. 13. Est jusjurandum non solum vinculum --- sed etiam invocatio veri Dei qua Deum testem citamus vera nos dicere, seu asseverationem nostram esse veracem, & petimus ut severe nos puniat, si mentimur. Lorinus in Ps. 118. 106. Paulus scribens --- Testis est mihi Deus, censetur jurasse. And in Ps. 62. 12. Derivantes aliqui nomen illud Dei, Eloah vel elohim ab elah, quod est jurare sive affirmando, sive execrando colligunt in omni juramento nomen Dei aliquo modo includi. So N. Fuller, Missel. l. 1. c. 2. In jurisjurandi Religione semper interponit Deus & testis, & judex. So the learned Dr. Prideaux late Bishop of Worcester, then Divinity Professor in Oxford, Consil. 5. de Relig. Juram. sect. 11. Inter plurimas juramenti definitiones quæ occurrunt passim apud plurimos ceteris hæc videtur accuratior, & constatior. Juramentum est asseveratio religiosa de re possibili & licita cum veri Dei invocatione facta, qua poscimus ut si testis dictorum, & fallentes puniatur. And Illiricus in his Clavis Script. Jurare præter suam propriam significationem quæ est Deum in testem vocare alicujus dicit, aut Sententiæ. So Athanasius in his Apology to the Emperor*

Con-

Constantius; We speak (saies he) in the presence of God. For τὸν θεόν ἔχοντες ἑταῖροις ἐν ἀποστολῇ, this Oath was Christians use. And Rodolphus Gualtherus in his Comment upon the Hebrews, cap. 6. saies, That an Oath is Contestatio summi Numinis quod omnia innuetur. Philo Judæus (saies Grocius) has it upon Heb. 6. 15. He calls an Oath, μαρτυρίαν τοῦ θεοῦ ὅτι οὕτως ἐπαγορεύει, the testimony of God in a doubtfull business. The learned Vossius, Hist. Pelag. lib. 5. part. 2. Juramentum est actio qua Deus sive simpliciter sive cum precatione aliqua interstem eorum invocatur quæ assentuntur, aut promittuntur. So Peter Martyr, in Gen 21. 24. saies, That an Oath is, Confirmatio voluntatis testimonio Dei, vel divinarum rerum. Nor doe I believe that ever any not interested Person was otherwise minded. Ipsi Ethnici (saies Bishop Sanderson, Præl. 5. sect 7.) ὅτιαν ὁρκίζονται, ad juramenti essentiam pertinere docuerunt. And therefore he that saies, That Swearing is forbidden, but means not that which all the world calls so, is like to him that would undertake to prove, that Snow is not white. but meant not that which is commonly named Snow, but some other meteor.

the same Judgment. Nor indeed have I seen, or read of any of the contrary opinion, except some Phanaicks, who would they yield the substance, and with St. Paul, call God to witness of the

Truth of their Assertions,
it might be wished out of
condescension to their *weak-*
ness that they might be
dispensed withall (if the
Law would give leave) as
to the externall formalities
of an Oath.

Sabb. 17 But not to digress ; ‘ If
‘ any be still of that conceit,
‘ notwithstanding the con-
‘ trary Judgment of all the
‘ world, that no man *Swears*
‘ unless he say *by God* ; I
‘ would demand what they
‘ mean, when they say, *By*
‘ *God this is true, or that is*
‘ *false* ? Is it any more, than
‘ *I call God to witness*, or than
‘ *So help me God* ? And if
‘ these

' these forms of speech be
 ' all æquivalent, then if one
 ' be an Oath, why be not
 ' the other? If there be any
 ' difference, it may well be
 ' thought that these last are
 ' more certain expressions of
 ' an Oath than the first. They
 ' cannot well be used to any
 ' other purpose, but the first
 ' may, † *Per non semper sig-*

† So Saint
 Austin,
 Serm. 28.

de verbis Apostoli. Ut noveritis verum jurare non esse
 peccatum, invenimus & Apostolum Paulum jurasse,
 Quotidiè morior per vestram Gloriam fratres, &c. Per
 vestram Gloriam juratio est, non enim sic ait: Per vestram
 Gloriam morior, quasi vestra Gloria me fecit mori: quo-
 modo si diceret, per venenam mortuus est, per gladium
 mortuus est, per Bestiam mortuus est, per inimicum mortu-
 us est, id faciente in mico, faciente gladio, faciente veneno,
 & similia: non sic dixit, Per vestram Gloriam. Ambiguita-
 tem Græcus Sermo dissolvit. Incipitur in Epistola Græca,
 & invenitur ibi juratioque non est ambigua, *ὅτι τὸ
 ὑμῶν ἡ δόξα καὶ χριστῷ. Νῆρι δὲ* ubi dixerit Græcus, ju-
 rat. Ergo, nemo dubitet jurasse Apostolum Paulum, cum
 dixit, Per vestram Gloriam, fratres,

In 1 Cor.
15. 31. &
Hierom
ibidem.

Num 20.
17.

Pl. 77. 20

' *nificatio juramenti est : nam*
 ' *si dicam per puerum misi, non*
 ' *statim per puerum jurasse pu-*
 ' *sabor, said Sedutus. The*
 ' *Particle by, is not always a*
 ' *note of Swearing, but of a*
 ' *medium or instrumentall*
 ' *cause whereby any thing is*
 ' *effected, as in this Prayer,*
 ' *By thy Cross and Passion, good*
 ' *Lord deliver us ; which*
 ' *some rather maliciously,*
 ' *than ignorantly would mi-*
 ' *stake for an Oath. When*
 ' *the Israelites craved passage*
 ' *through Edom, they said,*
 ' *We will goe by the Kings*
 ' *high-way. Can any ima-*
 ' *gine that they swore by*
 ' *the Way ? It is said, Thou*
 ' *leadest*

'ledest thy people like a Flock
 'by the hand of Moses and
 'Aaron. Will any say that
 'the Psalmist Swore by the
 'hand of Moses and Aaron
 'that God led his people?
 'So, There is no King saved
 'by the multitude of an Host.
 'Does the Prophet there
 'swear, by the multitude of
 'an host, that no King is
 'saved? I should abuse both
 'your time, and patience,
 'and seem to distrust your
 'Judgments, should I give
 'you mo instances, which
 'might in a great number,
 'and variety, be produced
 'to shew, that the word *by*
 'doth not always import an
 'Oath, as the former expres-

Psal. 33.
 16.

fion, I call God to witness
 perpetually; and, So help me
 God most commonly does.
 These generally are Oaths;
 but so is not the other. And
 therefore if any difference
 be put betwixt them, the
 scale will go down on this
 side, for these may more
 certainly be reputed Oaths
 than the other, which is
 often lyable to various, and
 doubtful construction. The
 truth is, That the substance
 of an Oath consists in the
 attestation of God, by
 what tearms soever it be
 exprest. And therefore,
Non audiendi sunt (saies St.
Austin) *qui has iurationes*
esse

In Epist.
 ad Galat.

esse non putare. Nor have I
 found any before this pre-
 sent Age that does deny it,
 and some in exprefs termes
 declare it. So P. Lombard,
Juravit Apostolos, dicens,
Testis est mihi Deus ; ac si
dixisset, Per Deum ita est.

Lib. 3.
 Dist. 39.

And St. Austin long before
 him, *Si dicas, per Deum ju-*
ras ; Si dicas, Testis est Deus,
non juras ? Quid est enim,
Per Deum, nisi Testis est De-
us ? Aut quid est, Testis est
Deus ; nisi, Per Deum ?

Serm. 28.
 de verbis
 Apost. Sa-
 uander son
 Praelect.
 s. lect. 6.
 Per De-
 um est ---
 proprie
 juramen-
 tum, &
 qui sic lo-
 quitur,
 Deum
 inducit
 testem.

Seet. 18. ' I know there
 'is a generation of people,
Quos non persuadebis etiamsi
persuaseris, who will have
 'by, and nothing els to be
 'the

' the formality of an Oath.
 ' Were that true, then that
 ' which God himself expres-
 ' ses to be an Oath, *Jer. 4.*
 ' 2. & 5. 2. *The Lord liveth*
 ' was none, because there is
 ' not the particle *by*. And
 ' again, were that true, it
 ' could not be denied but
 ' that *St. Paul* swore, *1 Cor.*
 ' 15. 31. *by your rejoycing.*
 ' And indeed, there want
 ' not Interpreters that so
 ' expound it. The *Syriack*
 ' Translator renders it *Jure*
 ' *per gloriam vestram.* And in
 ' the original word in that
 ' place, is as ordinarily a
 ' note of swearing in *Greek*
 ' as *by* is in *English*. Hence
 ' Saint

ath. Saint *Austin* writing to *Hil-*
 that larins, draws an argument
 pres. for the lawfulness of *Swear-*
 . 4. ing. And again more clear-
 verb ly, *Per vestram gloriam ju-*
 e is ratio est. Notwithstanding
 And they that affirme the par-
 it ticle *by* to be the onely and
 but peculiar mark and cha-
 cor. racteristicall expression of
 ng. an Oath, will not I believe
 ant allow it to denote one in
 so this place. And therefore
 ack I shall not insist further up-
 ure on it.

Epist. 89.

Serm. 28.

de verb.

Apost.

ri. 'However the Apostle *Scit. 19.*
 at 'swears *by Christ*, Rom. 9. 1.
 a 'so the *Syriack*, and *Asbi-*
 k 'opick Translators ; as also
 ce 'Piscator, Beza, Pareus, and
 nt 'Hentenius

'Hentenius the Translator of
 'Oecumenius, read it, Per
 'Christum. And the Fathers,
 in locum. 'St. Ambrose, Theodoret, The-
 'ophylact, and Oecumenius
 'say, that the Apostle here
 'brings in Christ for a wit-
 'ness, which is Swearing.
 'And * modern Expositors,
 'both Romish and reformed,
 'as many as I had opportu-
 'nity to consult with, doe
 'unanimously agree, That

* Qual-
 terus ius-
 jurandū
 interpo-
 nit Pis-
 cator. de
 2815^a, ad
 2815^a, et
 2815^a,
 formula

jurantis. Pareus, Jurejurando firmula i doloris suspitio-
 nem avertit -- docet -- Christianis non esse illicitum
 jurejurando Veritatem confirmare in rebus gravibus, Glo-
 riam Dei, & salutem proximi concernentibus, ubi alter-
 qui fides verbis non haberetur. A Lapide, Jure per
 Christum me verum dicere. Grocius -- suscitacionem --
 a se amoletur, & quidem jurejurando adhibito per
 Christum, quod non minoris haberi debet in novo te-
 dere, quam juramenta in veteri fœdere per Deum
 facta.

' this

'this is an Oath, and hence
 'conclude the lawfulness of
 'Swearing. And further this
 'proposition † is here used is
 'the very same that is used
 'in St. Mat. 5. 34. *in τῷ ὅρκῳ*,
 'by Heaven, sect. 35. *in τῷ γῆ*,
 'by Earth, sect. 36. *in τῷ κεφαλῇ τῷ*,
 'by the Head. And therefore
 'why not here *in χριστῷ*, by
 'Christ? And thus is it used
 'by the 7th. Dan. 12. 7.
 '*ὁμοῦν ἐν τῷ ζῶντι ἱεὶ τῷ αἰῶνα*, per
 'viventem, swore by him
 'that liveth for ever. So
 'Jer. 5. 7. *ὁμοῦν ἐν τοῖς ἰ. ὁρί βασιλ.*,
 'swore by them that are no

† So Salus
 Mar. 23.

16. 18.

20, 21,

22, where

it is the

formula

jurandi,

in τῷ

κεφαλῇ

τῷ

κεφαλῇ

τῷ

κεφαλῇ

τῷ

κεφαλῇ

τῷ

κεφαλῇ

τῷ

κεφαλῇ

τῷ

κεφαλῇ

τῷ

κεφαλῇ

τῷ

tum introspectiatur, nullum erit discrimen Inter præposi-
 tiones per. & in si ad eundem rem applicentur. Sander-
 son Prælect. 5. sect. 7.

Gods.

Gods. And Ephes. 4. 17.

μαρτύρομαι ἐν κυρίῳ, Obtestor per

Dominum, so the *Arabique,*

and Ethiopick Translators,

and Beza. † And many

times in the New Testa-

ment, *is* is rendred *by,* 1 Cor.

6. 2. *ἐν ὑμῖν. by you.* And fit-

ly* it might be so Englished

in severall other places. It

appears by what has been

said, that both the use of

the word, and the sence of

the place concur in eviden-

cing, that the Apostle

swore, especially it being

a synonymon to *betw,* which

amongst the *Hebrews* is,

† 1 Cor.

12. 3. 9.

13. & 14.

6. 1 Joh.

2. 3. Mat.

23. 16.

2. Cor. 6.

6. 7. & 10.

15. Gal.

2. 17. 20.

& 3. 11.

Ephes. 2.

13. 18. &

3. 5. 21.

& 4. 14.

21. 30. &

3. 26.

Phil. 4. 19

Col. 1. 16.

17. 21.

1 Thes. 3.

3. & 4. 1.

15.

2 Thes. 3.

16.

1 Tim. 1. 18. Mat. 17. 21. 1 Pet. 5. 30. * As Ephes.

2. 10. 1 Cor. 7. 22. 3 Cor. 7. 8. Gal. 3. 14. & 2. 4.

* nota

'nota jurantis, as appears,

'Gen. 22. 16. *bi nishbangti,*

'By my selfe have I Sworn.

'And Josh. 2. 12. *Jurate*

'mihi per Dominum, *baibo-*

'*vab,* Swear unto me by the

'Lord. This Argument St.

*In Epist.
ad Galat.*

'Austin afforded me, Nam

'*utique Apostolus noverat prae-*

'*ceptum Domini, & juravit*

'*tamen.* Hence then we must

'either lay the imputation

'of Ignorance, or wicked-

'ness upon that great Apo-

'stle ; or els understand

'these words, *Swear not at*

'*all,* (as doubtless he did)

'in a limited sense.

'Seventhly. If some swear- *S. B. 208*

'ing be enjoined in the

'third

' third Command, then all
 ' swearing is not forbidden
 ' by *Christ* in these words,
 ' *Swear not at all*, because he
 ' came not to *destroy* the
 ' Law. But some swearing
 ' is there enjoined, or els
 ' the Law written by the
 ' Finger of God in Tables
 ' of Stone cannot be vindi-
 ' cated from imperfection,
 ' which to assert were no less
 ' blasphemous in it self, then
 ' contrary to the *Psalmist's*
 ' profession, to wit, *That the*
 ' *Law of the Lord is perfect.*
 ' The Consequence, that
 ' God's not enjoining some
 ' swearing, implyes some im-
 ' perfection in the Law, as it
 ' was

Pf. 19. 7.

was delivered upon Mount
 Sinai ; I thus shew, What-
 soever is perfect is defective
 in nothing ; *Perfectum est
 cui nihil deest*. If then the
 Law summarily contained in
 the Decalogue, be perfect,
 it must command every
 practicall duty, and prohi-
 bit every vice ; which is im-
 possible, being contracted in-
 to so short an Epitome, un-
 less we admit of those Rules
 which Divines have been
 necessitated in order to the
 maintaining the perfection
 of the Law, to make for an
 extensive Interpretation of
 these *Synedochical* precepts,
 And if we admit of them,

F

it

'it follows, That God com-
 'manded some swearing, for
 'one of them is this: *Every*
negative precept commands
the contrary vertue. By this
 generall Rule, (which either
 must pass without excepti-
 on, or els we cannot defend
 the perfection of the Law)
 it follows from the sixth
 Commandment, *Thou shalt*
not kill, that we are obliged
 (*quantum in nobis est*) to pre-
 serve our Neighbours, and
 to do all charitable offices to
 them: So from the seventh,
Thou shalt not commit Adul-
tery, that we should live in
 Chastity and Temperance,
 &c. And so from the third,
Thou

Thou shalt not take the Name
 of the Lord thy God in vain,
 it follows by this Rule,
 that thou shalt take the
 Name of the Lord thy God
 (that is, thou shalt swear)
 whensoever an Oath is not
 vain, and that Oath is not
 vain, but necessary, which is
 required by a lawfull Magi-
 strate for the glory of God,
 the preservation of his Ma-
 jesty, the peace of the Na-
 tion, the manifestation of
 Truth, the just punishment
 of Offenders, the security
 of mens Lives and Estates,
 or the decision of Contro-
 versies ; which last the Apo-
 stle mentions, *Heb. 6. 16.*
 And seeing there be contro-

*† The pro-
 hibition of
 an abuse
 implies the
 permission
 of the due
 use of any
 thing.
 And that
 Maxime,
 Exceptio
 firmat re-
 gulam in
 non ex-
 ceptis,
 holds no
 less in
 Reason
 then in
 Law.*

(68)
verities amongst men now, as
well as there were then, and
so are like to be to the end-
ing of the world, and that
it is necessary that they be
decided for the preservation
of Peace and Concord ; and
seeing an Oath is a *Medium*
that conduces as much to
that purpose now, as it did
formerly, it is clear that
there must be the same ne-
cessity thereof now, that
there was then. All these
are necessary ends, but not
attainable, at least not so
well, by any expedient yet
put in practise, as by inter-
position of Oaths, which as
they were enjoined by God

in

in the third Commandment,
no less then Charity in the
sixth; so it cannot reason-
ably be believed, that our
blessed Saviour would for-
bid them being of such im-
portant use for the safety of
Empires, Kingdoms, and
Common-wealths, and the
lives, means, and well-being
of the generality of Man-
kind, and that onely of his
own meer good pleasure.

‘And that puts me in
‘mind of another Argu-
‘ment. For,

‘Eightly. Our blessed Sa- *S. B. 21*
‘viour did never any thing
‘without some ground, or

F 3 evidence

† That of
which no
Reason
can be gi-
ven, is not
a Morall
Præcept;
Dr. Tay-
lor in his
Ductor
Dubitan-
tive, Book
2. Chap.
3. Rule 5.
sect. 66.

evidence of † Reason. But
no Reason can be shewed
why all manner of swear-
ing should be forbidden.
Indeed swearing by Crea-
tures, without respect to
the Creator, is therefore
unlawfull, (as hath been
already mentioned, sect.
11.) because thereby we
ascribe that Glory to them,
that is incommunicably
due to God. And swear-
ing by God falsely, is abho-
minable, because thereby
we make him (as much as
in us is) guilty of our lye.
So swearing truly by God
in triviall matters, is also
to be disallowed, because it

is

'is dishonourable to that
 'high Majesty to be called
 'to witness for a trifle. Like-
 'wise customary Oaths in
 'ordinary communication,
 'are therefore not without
 'cause forbidden, in respect
 'that thereby men get such
 'a habit of swearing, that
 'Oaths with them are but
 'words of course, and for-
 'malities of Speech, they
 'very often (as experience
 'shoves) neither knowing,
 'nor regarding what, or
 'when they swear, which
 'highly tends to the disho-
 'nour of Almighty God,
 'whose Holy and Reverend
 'Name ought never to be-

'mentioned without inward
 'Reverence and fear. Be-
 'sides, frequent swearing is
 'an occasion of frequent
 'perjury, and absolutely
 'voids the end of an Oath,
 'which is the assurance, and
 'confirmation of truth. For
 'men that constantly swear
 'are not in Reason to be
 'better believed for their
 'swearing. But none of all
 'these, nor any other the
 'like inconveniences that I
 'can imagine can be obje-
 'cted against swearing in a
 'due manner, and upon a
 'just and necessary occasion.
 'And therefore we may wel
 'believe, that such swearing
 'was

'was neither here, nor any
'where els forbidden.

'It is objected, That *Oaths* *Sanct.*
'may justly fall under pro-
'hibition, as idle and unne-
'cessary, because they nei-
'ther doe, nor can serve to
any good purpose. For a
'good man will speak truth
'though he be not sworn;
'and a wicked man will not
'be restrained from lying by
'the Religion of an Oath.
'I answer, (first,) That were
'this dilemma granted, it
'would infer onely the no-
'necessity of an Oath, but
'not the unlawfulness there-
'of, which is the point in
question. (Secondly,) The
Fathers

Chrysost.
Hom. 15.
ad pop.
Antioch.
& Hom.
9. in Act.

Fathers that (as far as we
know) were the first that
thus argued, are to be un-
derstood of rash, and cu-
stomary, not usefull, or
imposed Oaths, intending
thereby to break that pro-
phane custome of ordinary
swearing in common dis-
course. Thirdly, Upon sup-
posall that some are so ex-
act observers of Truth, as
never to lye upon any oc-
casion; and others so de-
sperately wicked, that they
dare on set purpose swear a
known untruth; yet it cannot
reasonably be thought that
the generality of men are to
be ranked in either of these
Classes.

Classes. For it has been observed, that some who have not much scrupled to tell a lye, notwithstanding have refused to swear it, making more conscience of the one, than of the other. And amongst all such, (and they may well be supposed to be the greatest part of man-kind) an Oath is a fit expedient for discovery of Truth, or obliging them to the performance of a duty. Fourthly, Even amongst those good men that will never lye, some perhaps may think themselves not obliged to discover voluntarily an hidden truth,

'truth, especially if it tend
 'to the prejudice of them
 'selves, or some whom they
 'favour. And there are not
 'a few that hold, *Mendacium*
 'Officiosum, to be but a ve-
 'nial sin. And as to such,
 'an Oath is not vain, or use-
 'less, but necessary for the
 'discovery of the truth.
 'And therefore this can be
 'no Reason why such Oaths
 'should be forbidden.

See. 23

'Ninthly, Either these
 'words, *Swear not at all*, must
 'not be extended to a totall
 'prohibition of swearing,
 'or els Christ thereby gave
 'a new morall Command;
 'for all men grant, that be-
 'fore,

fore, Swearing was either
 commanded, or permitted,
 not forbidden. But Christ
 gave no new Moral Com-
 mand. For that had been
 contrary to Gods expressed
 will, *Deut. 4. 2. You shall*
not add unto the Word which
I command you, and would
also have argued the im-
perfection thereof. Besides,
he ordained no new Law
in the matter of the sixth
and seventh Command-
ments; but onely reprov'd
the erroneous Tenents, or
the erroneous induxit. And there is reason for it. For
our Saviour gave a new Precept, when the Morall Law
before it was supplied by that Precept was defective, and
imperfect, or else that new Precept was superfluous. But
that David denies, Psal. 19. 7.

† Iludon
 Pelusiot
 in an Epi-
 stle to Ti-
 motheus
 Lector,
 (l.b. 1.
 Ep. 107.)

† Iludon
 Pelusiot
 in an Epi-
 stle to Ti-
 motheus
 Lector,
 (l.b. 1.
 Ep. 107.)

† Iludon
 Pelusiot
 in an Epi-
 stle to Ti-
 motheus
 Lector,
 (l.b. 1.
 Ep. 107.)

‘vicious

'vicious manners of the
 'Jews. To manifest which
 'assertion, you may take
 'notice that he reduces the
 'Decalogue into a duologue,
 'Mat. 22. 37. & 39. Love
 'God with all thy heart, and
 'thy neighbour as thy self.
 'But both these (whereup-
 'on saies Christ, hang all the
 'Law, and the Prophets, scilicet
 '40.) were of old. The for-
 'mer is exprest, Deut. 6. 5.
 'The latter *verbatim*, Levit.
 '19. 18. † And further,

† So saies
 Austin, l.

19. c. 28. contra Faustum Manichæum, Iaque vel omnia
 vel pene omnia, quæ monuit, seu præcepit, ubi adjungit
 hæc; Ego autem dico vobis, inveniuntur & in illis veteribus
 libris. And there be gives sundry particular instances. And
 Christophorus Pelargus in his Evangelicall Questions in
 Mat. 5. par. ult. Q. 3. saies, Omnia quæ in Synagoga loco,
 & quasi supplemento hic recitantur, in Lege & Prophetis
 prius comprehensa apparent; whereas he also gives sever-
 all instances.

'Christ

the
 which
 take
 s the
 ogue,
 Love
 and
 self,
 eup
 all the
 sect.
 for.
 6. 5.
 wit.
 her,
 omnia
 junga
 veribu
 r. And
 ur in
 loco,
 pheth
 fere
 rist

'Christ reprov'd nothing,
 'but what had been disal-
 'lowed before. He forbids
 'Anger ; but for that God
 'had of old rebuked Cain,
 'Gen. 4. 6. He prohibits
 'reviling, sect. 22. But that
 'had God formerly declared
 'against as punishable, Zeph.
 '2. 8, 9. He disallows ba-
 'tred, sect. 43. 44. But that
 'was unlawfull before, Lev.
 '19. 17. He forbids Lust,
 'sect. 28. And that was like-
 'wise prohibited of old, Ex.
 '20. 17. *Thou shalt not covet.* Prov. 6.
 'Whence St. Paul (which ^{25.} Job 31. 1.
 'els he had not) understood
 'Lust to be a sin, Rom. 7. 7.
 'And shall we think that
 'our

'our Saviour, who vindica-
 'ted the other Command-
 'ments from the lewd de-
 'pravations of men, has abro-
 'gated this onely, as though
 'it had not been framed by
 'the same wisdom, and
 'enacted by the same God,
 'or that in lieu thereof he
 'instituted a novel Præcept
 'never heard of formerly ?
 'What ever we doe, St. Au-
 'stin did not : For he saies,
 '*Legite vetus Testamentum,*
 '*& videte quia carnali ad huc*
 '*populo ea quidem præcipie-*
 '*bantur, quæ nobis.* If to
 'the contrary any urge the
 'clause, But I say unto you ;
 'I reply, that as it denoted
 'not

Tract. 3.
 in Johi
 cap. 1.

not a new Commandment,

Lev. 22. & 38. no more

does it now, but only our

Saviours opposition, not

against Gods Law, but the

Pharisaicall mis-interpre-

tations

est quod

Christi

sequente

non Legi Dei opponat sed corruptelis,

quas Pharisaei ex prava & perversa Legis Dei interpreta-

tione in Ecclesiam invexerant. Chemie in locum. If any

words oppose the word of God, by them of old time, &c.

and therefore conclude that thereby Moses and the Prophets

are meant. I reply, That that word doth not always denote

great antiquity: For we find it used, Acts 19. 7. and

1 Cor. 15. 14. ab antiquis Hebrews which in our last Trans-

lation; and others, is Englished, a good while ago, indica-

ting, that it was so very long time before. And our Com-

mentary understand it, to be less then twenty years. Pa-

ters in the place speaks to the same purpose. Antiquos au-

tem &c. Christus non incollegit Patres, vel Moyses,

sed majores Phariseorum tam falsa doctrinae Auctores.

And this may be added in confirmation thereof, that when

our Saviour had disapproved the righteousness of the Scribes

and Pharisees, sect. 20. he immediately adds sect. 21. Ye

have heard that it was said by them of old time, &c. What

then, but the Scribes and Pharisees, now before mentioned?

For against their righteousness, he expounds that against the

righteousness of Moses, and the Fathers. The learned Mal-

domus,

Some with other Jesuits, the Anabaptists and Socinians
 contend earnestly for the contrary opinion, alleging, the
 Christ named expressly the Commandment, themselves, Thou
 shalt not Kill, sect. 22. Thou shalt not commit adultery,
 sect. 27. and others opposed by, But I say unto you, &c.
 &c. 28. To this it may be replied, that Christ did not any
 intimation, Thou shalt not kill, but further, that whosoever
 shall kill shall be in danger of Judgement: which words
 are not to be found in the Law of Moses, though spoken (as
 our saviour saies) by them of old time, and therefore it
 was not against the Law, but against the deprivation thereof
 by those Ancients that Christ opposed. Another like instance
 may be produced, sect. 43. Thou shalt love thy neighbour
 (which is found Levitic. 19. 18.) and hate thine enemy:
 But that is no where extant in the Law, and appears to be
 a corrupt addition destructive to the former member of the
 Sentence, For the hatred of thine or that man, under the no-
 tion of an enemy, is inconsistent with the love of our neigh-
 bour. Hence it may appear that Christ did oppose his, But
 I say unto you, to the Pharisaicall innovations, not to the
 Divine Ordinances; or if to the Law, not as it was given by
 God (for it was exactly perfect) or expounded in the Old
 Testament, (for so it fully agrees with Christs Doctrine
 in the New) but as depraved by the corrupt Glosses of the
 Scribes and Pharisees. Doe we make void the Law through
 Faith? (saies Saint Paul, Rom. 3. 31.) God forbid! yea
 we establish the Law.

tations thereof, against
 which it is as reasonable to
 interpret this place as the
 for.

former. And if so, then
 did not Christ by these
 words, *Swear not at all*, pro-
 mulgate a new Law, nor
 consequently forbid such
 Oaths as were lawfull, or
 enjoined before.

Tenthly, If the High *Sanctuary*
 Priest charged our Saviour
 to swear, and he without
 exception thereto answered
 upon Oath, as acknow-
 ledging his Authority over
 him (as he did *Pilates*, *Joh.*
19. 11.) and that some
 years after he had said,
Swear not at all; then from
 thence follows, that when
 the Magistrate imposes an
 Oath, the persons charged
 to

The same
kind of
adjurati-
on, ἐπι-
κατα-
ρατικὴ
ἐκ μέρ-
ους τοῦ
ἐκκλη-
σιασ-
τικῆς, Ire-
mus calls
an Oath,
as it is ob-
served in Eu-
seb. Hist.
Eccles. l. 5.
c. 19 or
(accord-
ing to the
Greek)
20.

to swear, may lawfully an-
swer upon Oath, as Christ
himself did, notwithstanding
this seeming prohibiti-
on, Swear not at all; and
consequently, that all
swearing was not forbid-
den in these words. But
the high Priest did charge
our Saviour to swear, Mat.
26. 63. ἐκφαίνω. (of *jur-*
amentum) I adjure thee, that
is, I command thee to Swear;
or (as it is in Tompsons
Translation of Beza's new
Testament dedicated to Sir
Fran: Walsingham) I charge
thee Swear unto us. So the
word is used by the Septua-
gint, Gen. 24. 3. ἐκφαίνω,
there-

follows after it. (as it does here) signifie any other thing any where in these holy writings then to adjure, or make to swear. So then, the high Priest en-joyined Christ to answer upon Oath, whereto hap-pily he might be warrant-ed from **Le. 5. 1.** and he accordingly who before held his peace, in reverence it seems of his heavenly Father by whom he was adjured, and in preserva-tion of the Magistrates

¶ De te-
stibus.
Lex. in-
ter. Levit.
3. ubi
dicitur
non
procur-
clatur te-
stis qui
verum
subiicer
postquam

audiamus. **Deus. 1. 16.** **Deus. 1. 16.** **Deus. 1. 16.**
63. And there be mentioned two of the former which the
Magistrates were made to use when they caused any to
swear. One wherof is this which the high Priest used in
Christ's trial.

Author

Authority, and perhaps in
 obedience to the Law,
 Lee. 5. 1. answered di-
 rectly (as every man ought
 that speaks upon Oath)
 and acknowledged the
 whole Truth; which sur-
 ly he would not have done,
 but rather have reproved
 the high Priest, had he en-
 joined him what was un-
 lawfull.

I confess that some pre-
 tend, that Christ here by
 these words, *Thou hast said,*
 did rather wave than give
 any positive answer. But
 that is a groundless con-
 ceit. For it consisted not
 with the ingenuity, and

honour of our Saviour
 (who is the faithful wit-
 ness, Rev. 1: 5. and who
 come into the World to bear
 witness to the Truth, John
 18: 37) not to have af-
 fected that Truth in his ex-
 treme danger, which was
 necessary for the salvation
 of mankind, and which be-
 fore when he was in safety,
 he had plainly professed to
 the Samaritan woman, John
 4: 26. I would demand
 whether one of us, brought
 before some Heathen Ty-
 rant, and examined whe-
 ther he were a Christian,
 or no, might lawfully by
 oblique, or ambiguous
 words

words elude the question,
 If so, the Martyrs were in-
 direct in not so doing,
 If not, it were not fit to
 impute that to the Master,
 which would misbecome
 the Disciple. Besides, the
 Apostle testifies of Christ
 Jesus, That before Pontius
 Pilate he witnessed a good
 Confession, 1 Tim. 6. 13. And
 what was that, but only
 that he was the King of
 the Jews, the expected
 Messiah, and Saviour of
 the World? To put the
 matter beyond all dispute,
 St. Mark (17. 82) relates
 plainly, that Christ's an-
 swer was, I am. And there-
 fore

fore that in St. Matthew
must be the same in sense,
unless we would make the
one Evangelist differ from
the other. And thus the
high Priest apprehended it,
when he rent his clothes,
and cryed blasphemy, Mat.
26. 65. † And doubtless
he understood well enough
what Christ's answer was,
though it appear not so
intelligible to us, who are
not so versed in the idi-
otisms of the Language

¶ That the
Pharisees
Thou
hast said,
implies a
grant, and
emission
of the de-
mand, ap-
pears by
our Sav-
our's an-
swer to

Judas's words Mat. 26. 65. See also in Myrrour of
St. John 18. 27. Cited by the learned Mr. Grotius in his
89th. Chapter of the Advancement of Ecclesiastical History
quam Hebraei lingua populi modeste conseruat, to esse
Regem. For, Tu dicis, may well be understood, Ren-
acu te igitur Tuus dicit, &c. 10. Thou hast said, the hall
on the head.

the

the Jews then used) other-
wise he had been very rash
in renting his clothes he
knew not why.

To reply, that Christ, *508. 24*
swore not (though Caiaphas
had adjured him) because
he said not I swear, is vain,
For an examination is to
answer the Magistrate both
in matter, and form, ac-
cording to what is propo-
sed to him. It was enough
that he denied not to
swear, which assuredly, had
it been unlawfull, he
would have done. He that
came to teach all Truth,
would not so have deluded
the people there present,

'as to seem to speak upon
'Oath, when he intended it
'not; and by his example
'taught them dissimulation.

21. 202. } *Qui tacet consentire videtur.*

And let any one judge,
'whether (upon supposition
'that all swearing is unlaw-
'ful) this had not been at
'least (which the Apostle
'forbids; 1 Thes. 5. 22.) an
'appearance of evil. If it
'be demanded, whether
'(had the high Priest asked
'the blessed Jesus forty
'Questions touching the
'same matter, without re-
'iterating his Adjuration)
'he was still to answer upon
'Oath; mine opinion is,

'That

That he was *Nursed* that
 to multiply unnecessary
 Oaths, & for once and the
 same Oath puts an obliga-
 tion upon the party exa-
 mined to speak the whole,
 and the sole Truth in all
 Interrogatories touching
 that matter concerning
 which he was sworn.

‘To alledge, that Christ *Scilicet. 29*
 swore not, because he layd
 not his hand on † a Book,
 or kissed it, is to trifle. For
 the Essence of swearing, is
 in calling God to witness;
 the lifting up of the hand, or

† That
 Ceremony
 is a *Superstition*.
 For it ap-
 pears by
 St. Chrys-
 ostomes
 Hom. 19.
 ad pop.
 Antioch.
 That the

Gospel-Book was bidde out to those that were to take an
 Oath in that time. And that it is about 1250. years since.

the

the saying it on a Bible
 are but extrinsecall forma-
 lities, and render an Oath
 more solemne, not more
 obligatory. The Question
 is concerning swearing it
 self, and not the Ceremo-
 nies thereof. Nor is it pre-
 tended, that those Acci-
 dentall Rites in taking an
 Oath were prohibited in
 these words, *Swear not at
 all.*

5.8.39 And for that *πρωτοϋλητως*
 the Anabaptists last eva-
 sion, That swearing was
 lawfull untill our Saviours
 death, and then abolished
 as a Ceremoniall Ordi-
 nance: it is not true; and
 if

'if it were, it yeilded the
 Question. First, It is not
 true. For swearing duely
 performed, is (as hath been
 said) a part of Gods pecu-
 liar worship, an acknow-
 ledgment of the infinite
 Wisdome, Power, Goodness,
 and Justice of God; and
 therefore incommunicable
 to any Creature, or false
 God. Whereupon it is
 equally commanded, with
 the fear and service of God,
 Deut. 6. 13. & 10. 20. and
 consequently obliges e-
 qually at all times, no less
 now under the Gospel,
 than it did formerly in
 time of the Law. Nor has
 'it

It is evi-
dent that
Oaths
were an-
nually
repeated
more ob-
ligatory
than the
Sanctions
of the Ce-
rimoniall
Law,
and conse-
quently
were to
be refer-
red pro-
perly to
the Moral
Law. The
Author of
the Que-
stions and

Answers in the works of Justin Martyr in Resp. ad Quest.
27. saith, τὸ μὴ φῶν ὅτι ἐν τῷ ἁμαρτανίῳ ἐστὶν ἡ ζωὴ τοῦ
τοῦ αὐτοῦ τοῦ αὐτοῦ. Moses for the greater obser-
vance of the Oath (in carrying Joseph's bones out of
Egypt) violated the less forcible Obligation of the Ceri-
moniall Law which denoted a legal impunity in all
those that touched any dead body, Numb. 19. 12, &
a mans bone, or a garment, 5. 16.

it in its substance any
Type at all. Circumcu-
sion, the Passover, the Lev-
itical Obligations, and the
other Ceremonies of the old
Law, had no Moral goodness
in them (as swearing has)
but were mere Shadows of
things future, and therefore
ceased of themselves, which
cannot with any colour of
probability be said of
swearing, that conduceth
now as much to the honour

of God as ever it did. And
 why might not that com-
 mand, *Zech. 8: 16*, Speak
 ye every man the Truth to
 his Neighbour (which with-
 out all peradventure is
 Morall) as well be counted
 Typicall (as relating to
 Christ the everlasting
 Truth) and consequently
 now antiquated, as swear-
 ing performed in a due
 manner, which was a more
 immediate service of God
 than the other? For Christ
 is essentially the Truth,
John. 14: 6. I and saying
 Truth came by him, *John*
1: 17. But he is improperly
 called the Oath of God.

But

Mat. 23.

But were it so indeed,
 that Oaths were Ceremo-
 niall, then it follows, that
 Christ in this Text did not
 forbid them, for he did not
 forbid the Ceremoniall
 Law, but observed it all
 his life, eating the Pas-
 over with his Disciples the
 Night before his death;
 unless perhaps some would
 interpret his words thus;
 I command you that you
 doe not swear, yet am wil-
 ling that this command
 shall not oblige you at pre-
 sent: For I am content
 that for a year or two you
 may swear by Heaven or
 Earth as you have been ac-
 customed; But after my
 Crucifixion

'Crucifixion, and Resurre-
 'ction, I swear no more. He
 'that thus dares expound
 'these words, may also at
 'his pleasure Paraphrase in
 'the like manner upon the
 '28. sect. You are not to
 'look lustfully upon a Wo-
 'man, for that is Adultery
 'of the heart, which for the
 'present indeed I permit
 'you to doe: but after my
 'Passion doe it not. If this
 'Interpretation be worthi-
 'ly deemed absurd; so like-
 'wise is the other. And
 'therefore let these that
 'disallow swearing as a part
 'of the Ceremoniall Law,

H 2

'and

‘and consequently now an-
 ‘tiquated, argue no more
 ‘the unlawfulness thereof
 ‘from these words, *Swear*
 ‘not at all.

Sol. 30

1stly. ‘No Exposition
 ‘of this Text, or any other,
 ‘is to be admitted that puts
 ‘an inconsistency betwixt
 ‘the Old Testament and
 ‘the New, both being in-
 ‘spired by the same God;
 ‘So *St. Austin, Testamenti*
 ‘*utriusque unus est Deus:*
 ‘And again, *Deus Author*
 ‘*est amborum Testamentorum.*
 ‘And hence he infers the

2 *Tim.* 3.

16.

3 *Pet.* 1.

21.

Contra

adverla-

rium Le-

gis &

Proph-

etatum, c.

16. & 17.

per

perfect Harmony, and
 Concordance betwixt the
 two Testaments, as pro-
 ceeding from one and the
 same God, who is uncapa-
 ble of fashood, or alterati-
 on. Whereupon if we be
 not so Atheisticall as to
 deny the veracity, or im-
 mutability of the most
 High, (*Tit.* 1. 2.) it must
 be granted, that his Word
 is of eternall Truth, (*Jam.*
 1. 17.) His Promises are

† Contra
 Adiman-
 num d. 4.
 Unde cla-
 rescat be-
 ne intel-
 ligenti-
 bus utri-
 usq; Te-
 stamenti
 manifesta
 concor-
 dia. and
 cap. 7. Ex
 quo faci-
 le appa-
 ret --- u-
 trumque
 Testa-
 menti
 conveni-
 re, arque
 congrue-
 re, tan-
 quam ab
 uno Deo

utrumque conscriptum, &c. And cap. 19. Hec isti si au-
 digerent, aut non impie legerent, viderent omnia in utri-
 usque Testamenti Scripturis --- si i concordantia, & suis
 gradibus ordinata. And contra Faustum, lib. 20, cap. 3.
 Omnia quæ in veteri scripta sunt, hos & vera esse dicimus,
 & divinus mandata, & congruis temporibus distributa.
 And contra Adimantum cap. 3. Quod isti si confidero
 vellent --- omnia tam in veteri, quam in novo Testamento
 ab eodem Spiritu conscripta & commendata esse sentirent.

1707

H 3

Yea

2 Cor. 1. 'Yea, and Amen; His pre-
 dictions must needs be ac-
 Mar. 16. 'complished, His Precepts
 24. 14 & 'are more unalterable than
 Luk. 24. 'the Laws of the *Medes* and
 29, 26, 27 'Persians. Nor did our Saviour
 'come to *destroy*, but to fulfil
 Mat. 9. 'them who affirm that it
 17. 'is easier for *Heaven* and
 Luk. 16, 'Earth to pass than one tittle of
 17. 'the Law to fail. Whereupon
 Mat. 23. 'he enjoins obedience to the
 9. 3. 'commands of the Pharisees,
 'as sitting in *Moses Chair*:
 Cor. 1. 'Quo loco (saies St. Austin)
 Adima- 'Authoritatem legis quæ per
 tom, 5, 16 'Moysen data est, confirmat Do-
 minus. From all which pas-
 'ages it is apparent that
 'the Old Testament is so far
 from

+ So the
 same Pa-
 ther refu-
 sing an-
 Heretic,
 that dis-
 claimed
 the Autho-
 rity of the
 Law, and
 the Pro-
 phets (con-
 tradictor-
 y of the La-
 g's & Pro-
 phetarū,
 i. e. c. 2.)
 Necesse
 advenus
 lucem,
 vocemq;
 Domini-
 cam, vel
 Apostoli-
 cam tam
 caris

ardus effugit, ignoret quemadmodum à Christo, & Aposto-
la in libris ad novum Testamentum pertinentibus confir-
matur Legis, ac Prophetarum, & commendetur Authoritas.
So our Church in the 7th Article, The Old Testament is not
contrary to the New, &c. † Her 66 Sect. 74. Πῶς δύ-
ναι ἀντιθέσθαι, ἀλλὰ ἔτι τῷ ὁ τῆς δι' οὐ δέμιος. -
ἡμεῖς μολοῦν ἐν ἀποφύγιον ἀντιθέσθαι τοῦ ἑνός.

One God the Author of
 them both; and that there-
 upon they are set to the
 same tune. And it is no
 small evidence of the Di-
 vine Authority of holy
 Scripture that there is so
 full an agreement in all the
 particulars thereof, though
 written by several Penmen
 at very distant both times
 and places. This Truth
 hath ever been maintained
 against both Heathens and

* Lib 7.
 208. 49.
 71. 12.

Hereticks. † *Origen* makes
 τὰς πλείους τῶν τῶν ἐκκλησιῶν τῶν τῶν μαθητῶν. ὅτι
 πᾶσι τὸν ἱεὺς τῶν ἐκκλησιῶν τῶν τῶν μαθητῶν
 τῶν ἐκκλησιῶν τῶν τῶν μαθητῶν τῶν τῶν μαθητῶν
 τῶν ἐκκλησιῶν τῶν τῶν μαθητῶν τῶν τῶν μαθητῶν
 (saes he) did the Father sending Jeſu, forget what he
 had commanded Moſes, neither did he condemn ſit ſit
 Laws, ſent, and ſent a messenger for contrary purposes. *Styl.*

round us

*Inquit, Galerius the Translator vnderstande this Evan-
gelium Deo Legi Auctori non opponit. -- Nec p'ce-
set in m'icem oblium erat quid M'osi mandaverit, neque
penitencia ductus damnata propria Lege misit Evangelium
in doctum contraria marginalia pristinis.*

it good against Celsus, that
there is no contradiction
between the Law and the
Gospel, which differ not in
substance nor in deed, more
than the Sun under a cloud
from it self when it shines
forth in its brightest lustre.
So St. Austin; *Et novum in
veteri est figuratum; & ve-
tus in novo est revelatum.*
The Law is the Gospel
veiled and the Gospel is
the Law revealed. What
was typified or foretold in
the one; is verified and ac-
complished in the other.

‘From

From all these Premises I
 may well draw this conclu-
 sion that these words,
 Swear not at all, ought not
 to be so interpreted as to
 render all swearing unlaw-
 ful, (Deut. 6. 13. & 10. 20.
 Psal. 63. 11. not without
 promise of reward, Jer. 12.
 16.) which before was both
 commanded, and com-
 mended. For I cannot but
 look upon it as a perfect
 piece of Manicheisme, and
 extreamly derogatory both
 to Scripture, and God him-
 self, that for what Morall

* It was
 offe Pro-
 phesied be-
 fore, that
 Christians
 under the
 Gospel
 should
 swear, 1c.
 19. 18. &
 49. 23.
 which if
 it might
 not be ful-
 filled
 without
 contradic-
 tion to
 our Savi-
 ours com-
 mand
 would en-
 trench upon the Truth of the Prophecy, and make the
 Gospel thwart the Law beyond all terms of Reason-
 ation.

'duty

be a work more fit for a Vo-
lume, than a Sermon, to re-
late historically the practice
thereof through all Ages,
and places. Let it suffice
that the Centurists tell us
that in the 12th. Age
after Christ one Otho was
consecrated Bishop of the
Bambergensis, and had no
Oath administred unto him,
Quod haetenus (say they) *nul-*
li Germanorum Episcopo acce-
diffe constat, which is certain
had † never happened before
to any Bishop of Germany.

† Sir Ro.
ger Twis-
den in his
learned

Vindication of the Church of England, cap. 3. Sect. 6.
shows, that Oaths were imposed not only upon Arch-Bi-
shops at the receipt of their Pall, but also upon Bishops and
Abbots. Nay, not so much as the Popes themselves were ex-
empted.

know it. *Alu benedictus* 30

So also many Laws have
been made concerning
Oaths, as well in our own
Country as elsewhere, and
punishments decreed and in-
flicted upon perjured per-
sons. All which are Argu-
ments that just Oaths were
always allowed. True it is,
that some of the Fathers, e-
specially in their Homilies
and Sermons to the People,
 inveighed much against
swearing, as though it had
been altogether unlawful.
But that was out of a Reli-
gious zeal against irreligious
and customary Oaths. A
Lapide relates a story of St.
Chrisostome that he preached
so

In Hag-
gai a. 1.

so often against *swearing*
 that the people were offend-
 ed thereat; which he un-
 derstanding, told them, he
 would never leave that Ser-
 mon till they would leave
 that prophane Custome;
 which I find taken out of
 his fifth Homily *ad populum*
Antiochenum. But as to the
 Fathers; they spoke less cau-
 telously; never perhaps su-
 specting that *lawful swearing*
 upon just occasion would be
 denied: not *sequestris* but
secundis, with great vehe-
 mency refuting that horrid
 Custome of common *swear-*
ing in ordinary discourse;
 but not at all intending to
 take

(111)

take away necessary Oaths.
Origen in his 25th Tract upon
on St. Matthew says, that
Christ Manifeste vetuit omni-
no jurare: whereupon I con-
ceive it came that Parents
branded him with holding
the Anabaptistical Tenent
against swearing which I can-
not grant, because he * him-
self swears in his first book
against Celsus. *De passio-
nis eius*, God is witness
of my Conscience that, &c.
And so the great Athanasius
having declaimed with
much vehemency against
prophane swearing; yet in
his Apology to the Empe-
ror Constantius, he spontane-
ously

* The
like may
be said of
St. Hiero-
nym, as
appears
out of his
153. Epi-
stle to
Paulinus.

In Pass.
St. Cris-
ostom De-
mon.

ously. *swear* again and again, *The Lord is witness, and his Christ is witness.* And severall times he useth such Oaths, and wishes that his Accuser were there to be examined according to the Oath used by Christians.

So Chrysostome, though he often sharpened his stile against swearing, (for which *Baronius*, unadvisedly enough, listed him with other of the Fathers as bearing arms for the *Anabaptists*) yet in his 5. Homily, *ad Populum Antiochannum*, he advises the People to leave \dagger superfluous Oaths, such as are rashly, and without necessity uttered

tered at home, amongst
 their friends and servants,
 which if they did, they should
 need him no further in these
 matters. All which clear-
 ly shows, that though they
 zealously inveighed against
 the prophane practice of
swearing; yet they did not
 disallow the voluntary ta-
 king an Oath upon just oc-
 casion, and much less ju-
 diciary proceedings, which
 were then, and ever since
 every where publicly pra-
 ctised even till these times.
 To omit the Master of the
 sentences, and the School
 Divines who are generally
 consentient to this Do-
 I &rine,

trine, the Churches of the Reformation have publickly professed the lawfulness of Oaths, as may be seen in the *Harmony of Confessions*, and accordingly † practised them. The confession of *Switzerland* condemns the *Anabaptists* for denial of Oaths required by the Magistrates. The confession of *Basil* (*Helvetica Basiliensis, vel Milbusiana, Ann. 1532. Art. 11.*) protests that they

† The inferior Ministers in *Hungaria* and *Transylvania* swear Canonical obedience to their Bishops, as is the custom of *England*) The form of their Oath is

set down by Monsieur Darel in his excellent Book of the conformity of the Reformed Churches beyond the Seas with that of *England*, *Scilicet* 1. § 19. beginning thus, *I N. N. swear before the living God, the Father, the Son, and the Holy Ghost, &c.*

reject,

reject, and damn as abho-
 minations and blasphemies,
 that Doctrine that we must
 swear in no case, though the
 glory of God and Charity to
 our brethren require it. And
 in a marginal note they pro-
 fess, that *swearing* is lawful,
 and give reasons for it; to
 wit, because God in the old
 Testament commanded it,
 and Christ in the new did
 not forbid it; but on the
 contrary. both Christ and his
 Apostles practised it. So al-
 so the *Augustine* confession Art. 16.
 teaches, that Christians
 thereto called by the Magi-
 strates may lawfully swear,
 and condemns them which
 forbid

forbid that duty. To con-
 clude, our own Church in
 the 39th Article speaks
 thus, *As we confess that vain
 and rash swearing is forbidden
 Christian men by our Lord Je-
 sus Christ, and James his A-
 postle; so we judge that Chri-
 stian Religion doth not prohib-
 bit, but that a man may swear
 when the Magistrate requireth
 in a cause of Faith and Char-
 ity; whence it appears, that
 they are neither Children of
 the Church of England, nor
 conformable to the Reform-
 ed Churches beyond the
 Seas, nor agreeable to the
 Doctrine, and practise of the
 Primitive Church, who de-
 bid not*

ny th
 ing u
 alio
 only
 and t
 but
 lick
 place
 grie
 unlar
 ly th
 serve
 that
 stian
 and
 not
 ours
 as un
 and
 trary
 ny

ny the lawfulness of swear-
 ing upon just occasion. Hence
 also it is evident, that not
 only the Church of England,
 and the Reformed Churches;
 but also the whole Catho-
 lick Church in all times and
 places approved this Do-
 ctrine, that all swearing is not
 unlawful, which according-
 ly they practised as occasion
 served. Whence it follows,
 that either the whole Chri-
 stian Church in all places,
 and ages was so ignorant as
 not to understand our Savi-
 ours meaning; or so wicked,
 as understanding it, to teach
 and practise the quite con-
 trary; or else that Christ
 I 3 never

never meant to forbid all kind of *swearing*. To affirm either of the former, were to profess all that went before us were either dunces or Devils. And if so, what's become of the holy Catholick Church professed in the Creed? Nay, what's become of our Saviours promise, *Mat. 28. 20. I am with you alway even unto the end of the World*, when upon this supposition he never assisted them effectually either in the profession of his Truth, or practice of his Commands? And of these absurdities one is unavoidable, unless (which is most reasonable) we

confess

confess that these words, *Swear not at all*, are not to be extended to that latitude in which some of late have been pleased to expound them.

To sum up all then that *S. A. 32* has been said; if we would not oppose God the Son against God the Father; if we confess that *swearing* tends in an especial manner to the glory of God in the acknowledgment of his *Om-niscience, Power, and Ju-stice*; if it neither thwart our duty to God, nor that to our Neighbour; if the particular Enumeration of several Oaths in this place

I 4

‘forbidden,

'forbidden, be irreconcilable
 'ble with that interpretation,
 'tion, that from hence in-
 'fers a total abolition of
swearing; if we grant that it
 is not unlawful, *ex natura rei*,
 being practised by holy men,
 Angels, and God himself; if
 we acknowledge that Saint
Paul assisted in a great mea-
 sure by the Holy Ghost un-
 derstood his Masters mean-
 ing, and yet advisedly, and
 upon deliberation did sever-
 al times *swear*; if we yield
 that *swearing* upon weighty
 occasions, and in due sort is
 enjoined in the third *Com-*
mandment, as we must, unless
 we have a mind to deny the

per-

'perfection of Gods Law; if
 'no Reason can be given,
 'why all manner of *swearing*
 'should be forbidden; if we
 'confess that *Christ* ordained
 'no new Law, but only re-
 'formed the abuses in the in-
 'terpretation of the old; if
 '*Christ* himself brought be-
 'fore a Magistrate, answered
 'upon Oath; if no Text of
 'the Gospel ought so to be
 'expounded as to infer a re-
 'pugnancy to the Moral
 'Law, as this does accord-
 'ing to the Anabaptistical
 'interpretation thereof; and
 'if we consent to the Do-
 'ctrine and practise of the
 'Christian world in all Ages,
 then

then we must confess that our Saviour by these words, *Swear not at all*, intended not an absolute and unlimited prohibition of all manner of Oaths.

Salt, 33.

And thus I have done with the negative Explication of the Text. And though I should not be able to lay down positively the genuine meaning thereof, yet I am encouraged by the former Reasons to hope that I have freed these Judicial Proceedings from any sad influence which the dismal aspect of these words might seem to portend against them.

And

And now I come to the Sect. 34.
 affirmative part of my Task,
 what the sense thereof may
 be. And here I have scarce
 so much time as to shew the
 many Expositions, whereby
 several Authors have endea-
 voured to clear their latent
 meaning. Some only of the
 principal I shall: First, that
 Portent of learning *Hugo*
Grotius was of opinion (and
 I think that glory of our
 English Divines the incom-
 parable *Dr. Hammond* was
 much of his mind) that Pro-
 missory Oaths are here prin-
 cipally, though perhaps not
 only understood in our Savi-
 ours Prohibition. And that

is

is probable because the immediate words before my Text, *Thou shalt perform unto the Lord thine Oaths*, relate only to such as are Promissory. And 'tis reasonable, that the following sentence should be understood as the foregoing whereto it answers. And this may be thought more likely, in respect to that what is future is not in our power, and consequently not so fit to be promised by Oath, though indeed I conceive we engage not so much the after event as our present intention, and *future* endeavour. Again, this interpretation

tation is not inconsistent with legal proceedings. For all Oaths therein are † asser-

† Affec-
torii usum
præcipu-
us est in
Judiciis
ad lites
terminan-
dandas,
Sander-
son Præl.
1. lib. 8.

Sect. 35. 2ly. Others think that *Christ* here forbade such Oaths, as then were, and still are too frequently used in common discourse, but not such as the Magistrates require by Law: Nor is this improbable, for here is not a syllable of any proceedings in Law; but on the contrary, this Comment receives a great Corroboration from the place it self, *sect. 37.* but let your Commu-
- nication

mication be *yea, yea; nay, nay*
 for *whatsoever* is more than
 these (that is in your Com-
 munication) *cometh of evil*.
 Now if this verse refer to
 my Text, as the particle
but seems to imply, *Swear*
not at all, but say yea, nay,
 then as on the one side we
 are enjoined to use bare af-
 firmations or negations; so
 on the other, we are forbid-
 den to *swear at all* in *Communi-*
cation. And for the fur-
 ther confirmation hereof,
 it is urged that the Hebrew
 word *Nisbbang* is most fre-
 quently used in the Old
 Testament: And that is
 known to be of the passive
 voice,

voice
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voice, implying, that we are not to swear, but be sworn, *Quod nemo jurare nisi coactus solemniter debeat*, says Pagnin. And this is the judgment of some very reverend and learned persons now living.

3ly. There are who say *Soll. 24.* that prophane, false, rash, and vain Oaths are generally here prohibited, as never to be used upon any occasion: and no other. So *Pareus, Nihil hæc Christi* *In locum* *sententia derogat legitimis juramentis quæ vel in judiciis vel extra judicia quandoque præstanda sunt.* And that such Oaths as are seriously taken,

taken, and upon good ground, whether required by Magistrates, or extrajudicial, are lawful, and therefore not dis-allowed by Christ is highly warranted by the Authority and † practise of St. Paul. And on the contrary frequent and idle swearing, the taking in vain the dreadful Name of the most High, which ought not to be used but advisedly, and with great Reverence, must needs argue a great impiety, and dis-re-

† This was also St. Austins praeface.

Cum videro non mihi credi, nisi faciam, & ei qui mihi non credi, non expedire quod non credi, ha-

per pensa ratione, & consideratione librata, cum magno timore dico, coram Deo, aut Testis est Deus, aut scit Christus, sic esse in animo meo. Serm. 28. de Verb. Apost.

spe&

spect of the Almighty.
 Whereupon it must be
 granted, that this Exposi-
 tion is very futable to other
 Scriptures, and the Anal-
 ogy of Faith; and neither re-
 strains Oaths imposed by
 Authority; nor is disagree-
 able to the Text, if the
 word *law* (from which I
 suppose come our English
 words *whole* and *wholy*) be
 rendred commonly, as it
 may well be, and as it is,
 1 Cor. 5. 1. *law* *under*. It is
 commonly reported; There
 goeth a common saying as
 an old Translation reads it.
 Nor can it hence be inferred,
 that the Apostles were com-

'mon Swearers, though St.
 'Peter that great Apostle,
 'was not altogether free
 'from this vice, some years
 'after these words were
 'spoken, as appears St.
 'Mat. 26. sect. 72. and 74.
 For as St. Ambrose saies, *Non*
ad solos Apostolos loquebatur,
sed ad turbas. And Christ
 himself saies as much, Luke
 6. 27. I say unto you which
 hear; and that was this
 same Sermon whence I have
 chosen my Text, at the
 end whereof it is said, S. Mat.
 7. 28. that the people were
 astonished at his Doctrine, and
 therefore assuredly they
 heard it. Besides, as
 there

In Pl. 108
 c. 14.

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 Gods
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 Perj

pld. 13
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 ur, qui
 iure. 13
 Evangelic
 ne sit nec
 ad p'ig.
 p'ieramqu
 quod iur
 p'ierat

there is no Reason that I know to be tendered, why *swearing* should in general & totally be prohibited, so there are two great causes why comon *swearing* should severely be forbidden. The one is the prophanation of Gods Name. The other, lest thereby men at unawares fall into that horrid sin of *Perjury*, the prevention

where-

* To this
sense St.
Austin
expounds
this Text

Mat. 23. 17. In novo Testamento dictum est, ne omni-
no juremus. Quod quidem mihi propterea dictum vide-
tur, non quia verum jurare peccatum est, sed quia per-
jurare immane peccatum est, à quo nos longè esse vo-
lumus, qui omnino ne juremus admonuit. So also St. Am-
brose, l. 3. de Virginitatibus. Non immerito Dominus in
Evangelio jubet non esse jurandum, ne sit causa perjurii,
ne sit necessitas delinquendi. And again, Tract. de hortat.
ad Virg. propositum. Non jurandum, inquit, facile, quia
plerumque multi casus accidunt, ut non promissus imple-
re possint. Qui autem non jurat, utique non
peccat: qui autem jurat, aliquando necesse est incidat

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'mon Swearers, though St.
 'Peter that great Apostle,
 'was not altogether free
 'from this vice, some years
 'after these words were
 'spoken, as appears St.
 'Mat. 26. *sect.* 72. and 74.
 For as St. *Ambrose* saies, *Non*
ad solos Apostolos loquebatur,
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 end whereof it is said, *S. Mat.*
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 astonished at his Doctrine, and
 therefore assuredly they
 heard it. Besides, as
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In Pl. 108
 Col. 14.

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 pejerat

There is no Reason that I
 w to be rendered, why
 ring should in general &
 lly be prohibited; so
 e are two great causes
 comon *swearing* should
 rely be forbidden. The
 is the prophanation of
 s Name. The other, lest
 by men at unawares
 into that horrid sin of
 rjury, the prevention
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 this Text

g. 1. --- In novo Testamento dictum est, ne omni-
 mus. Quod quidem mihi propterea dictum vide-
 on quia verum jurare peccatum est, sed quia per-
 immane peccatum est, à quo nos longè esse vo-
 ul omnino ne juremus admonuit. So also St. Am-
 l. 30. de *Purgantibus*. Non immeritò Dominus in
 lio jubet non esse jurandum, ne sit causa perjurii,
 necessitas delinquendi. And again, *Tract. de hortu*
 g. prope finem. Non jurandum, inquit, facile, quia
 que multi casus accidunt, ut non promissus imple-
 uraverimus. Qui autem non jurat, utique non
 e qui autem jurat, aliquando necesse est incidat

(I suppose it should be read in) perjurium, quia
 hominem adax. Noli ergo jurare ne incipias pejerare.
 again in Pl. 118. Othon. 14. Voluit te non jurare ne
 jures. So Clement Alexandrinus, Strom. 1.7. ὁ μὲν οὖν
 οὐδὲν ἔμελλεν, ἀλλὰ καὶ οὐδὲν ἐπὶ τῷ ὀνόματι. Nam qui ne
 quidam multum abest ut sit pejeraturus. So St. Basil
 Psal. 14. 15. ὁ μὲν ἀμύμονος τῶν τῶν ἐπισημασίων καὶ
 διατίκτου. Qui non jurat periculum vitavit perjurium.
 And Isidorus Hispalensis, lib. 2. Sentent. cap. 31. scilicet.
 Non est contra Dei præceptum jurare, sed dum vis
 jaandi factus, perjurii crimen incurrimus. And
 contemptu mundi, Prohibe etiam tibi juramentum, tu
 jus jurandi (that's his word) usum, quia periculoso
 est. Assiduitas jurandi perjurii consuetudinem facit,
 So Euthymius Zigabonius in Mat. 5. Qui facile jurat
 quando fortasse pejerabit ob jurandi consuetudinem.
 And in Regula S. Benedicti (cap. 4. scilicet. 27.) the Rule
 Non jurare, ne forte perjures. He lived Anno 500. And
 these words are made use of by Theodulphus Autelanus
 his above 300 years after.

whereof is here more clearly
 ly discovered than it was
 before. For whereas it was
 said, Thou shalt not forswear
 thyself, &c. Christ expres
 ly forbids the occasion of
 Perjury, rash, and custom

swearing, not only as ill
itself, but also in respect
of the danger adjoyned.

This Reason is touched by
St. James 5. 12. if we read
the Text with the most
learned Bishop Walton in his

Polyglot; and in *ὁρκισμῶν* *τίοντι*, *ne*
occidatis in simulationem as

the Arabick Translator ren-
ders it; which Gratius ex-
pounds, *ne fallaces inveni-*

amini. Thus also Syracides,

it was that ancient Father La-

stantius speaks of a good

man, who, *Ne jurabit quidem,*

ne quando vel necessitate,

vel consuetudine in perjuri-

um cadat. So St. Ambrose

Voluit

Eccl. 23.
11.

In Epi-
tome di-
vinarum
Instituz.
sect. 4.

Lu Pf.
118. OR.

114.
In verba

Domini
& de

Serm.

Dom. in
monte.

J. 1. &
Lu Pf. 98.

Lu Pf.
102.

Voluit te non jurare ne perjures. So St. Austin, *ne facilitate jurandi in perjurium prolabamur*; to which purpose he (as many others) speaks in several places.

- 2d. 37. 4thly. Many understand that by these words of Christ, all swearing by Creatures is forbidden, but not that by God himself. And that seems evident if the words *ut juras* be not referred to the foregoing act of swearing, but to the subsequent objects. Besides, this opinion, as it fully agrees with the *Analogy of Faith*, and makes a perfect concord betwixt

betwixt the Old Testament
 and the New, and is no
 way repugnant to swearing
 in judicial proceedings; so
 it is backed with great Au-
 thorities. *Considera* (saies
 St. Hierome on the place)
*quod hic saluator non per De-
 um jurare prohibuerat, sed per
 Cœlum, & terram, & Hiero-
 solymam, & per caput tuum.*
 This way went the Gallican
 Council that condemned
 the *Albigenses*, where it is
 said, that in the Text, *Non
 prohibet nos jurare per De-
 um, sed per Creaturas:* and
 this great reason is there gi-
 ven, *Si licitum fuisset per
 Creaturas jurare, Reverentia,*
 &

In Re-
spo- ad
con- sta
Bulgo-
rum.

& honor qui Deo soli debetur,
creaturis exhiberetur. ' And
' before that Nic. the first
' Bishop of Rome (about 800.
' years since) saies that here,
' *nil nisi per Creaturam ju-*
' *retur procul dubio inhibetur*
' without doubt, nothing is
' here forbidden, save only
' *swearing* by Creatures. And
before that also about 1200.
years ago, according to the
judgment of the noble An-
tiquary Sir Henry Spelman,
X who by his unparalled la-
bours has so highly merited
of our Church, an Irish Syn-
nod holden under St. Patrick,
expounded this, *Nen jurare*
omnino, non adjucendam esse
Creaturam,

Cap. 23.

Creaturam, that we should not be sworn by a Creature.

And now I hope you do not expect, that so mean a Person should sit down in the Moderators Chair, and determine which of these Expositions is most consonant to our Saviours meaning. Let me not be guilty of such a Presumption. Yet what my thoughts are of this matter, without the least derogation to any of the recited opinions warranted by so much Reason, and Authority, I shall not refuse to declare.

It

Señ. 39.

It has in part, and may
be sufficiently proved that
our Saviour did not in this

vide seq.

23.

Chapter dis-allow the Mo-
ral Law, but only the
Pharisaical corrupt Glosses
thereon, and the ir-religi-
ous practises of the mis-in-

Trañ. 25.

in Mat.

formed Jews, who (as Ori-
gen tells us) *Consuetudinem
habent per Coetum jurare.*

To that same purpose, St.

In locum

*Hierom, Hanc per Clemente
jurandi pessimam consuetudi-
nem semper habuere Iudei.*

In locum

And so St. Chrysostome,

Ἰσὼς ἡμεῖς κατὰ τὸν νόμον ὁμολογούμεν.

They were accustomed
to swear by these things.

In locum

And Christian Drushman a

Writer

'Writer of 850 years stand-
 'ing, saith, *Habuerunt Judaei*
 ' *consuetudinem Jurandi per*
 ' *Creaturas, Deus hoc nobis*
 ' *prohibet.* Nay farther, be-
 ' cause the *Pharisees* taught
 ' them to perform whatever
 ' they had promised, swear-
 ' ing by God, they under a
 ' specious pretension, that
 ' they would not take Gods
 ' Name in vain upon a slight
 ' occasion, fell to swear by
 ' Creatures (which the Pha-
 ' risees, as *Grotius* shows out
 ' of *Philo Judaeus*, did not
 ' disallow) the easier there-
 ' by to delude such credulous
 ' people as believed those
 ' Oaths, which themselves
 ' neither

neither thought obligatory, nor meant to keep. This cheating trick grew not long after to be so notoriously known every where, that *Martial*, in the Reign of the Emperor *Domitian* in one of his Epigrams made sport with it, bringing in a Jew swearing by the Roman Gods; *Non credo* (said he) *jura verpe per Anchialum*, corruptly, for *im chai eloab*, as the Lord liveth. The Poet ignorant of this Language, mistook it for the proper name of some God, by whom alone he thought they durst not swear falsely. And it is certain that the

Scribes

Mart. l.

11. Epig.

95.

Scribes and Pharisees taught the People, that to swear by several Creatures, as by the Temple, and the Altar, was not binding: For Christ reproves them as *blind guides* upon that account, S. Mat. 23. 16. &c. This practise was a gross offence as well against the eighth Commandment as the third. And our Saviour having already prohibited the abuses against the sixth and seventh, proceeds now in due order to reprove such as were committed not only against the third, but also the eighth, which otherwise might seem to be omitted. Upon which ground

ground I conceive (with submission to better Judgments) that *Christs* scope in these words, was to rectifie the erroneous Doctrine of the Pharisees (which had too powerful an influence upon the lives of the people) and the vicious † practi-
ses

† St. Au-
stin de
Sermone
Domini
in monte,

makes a *Quere why Chrls forbade swearing by Heaven, Earth, &c. and answers it thus*, Credo propterea quia non putabant Judei se teneri iure jurando, si per ista iurassent, & quoniam audierant, Reddes autem Domino Iusjurandum tuum, non se putabant Domino debere Iusjurandum, si per Cælum, aut terram, aut per Hierosolimam, aut per caput suum iurarent: quod non vitio precipiens, sed illis malè intelligentibus factum est. To the same purpose speaks Chemnitius, *Herrn. Evang. cap. 51. Periop. 3.* Explicatio certior & firmior est quæ ex Textu famitur, duæ enim quasi species subjiciuntur. 1. Quod Phariseorum traditio erat in quibuscumque casibus in familiari Sermone, & in communibus negotiis rectè, & sine peccato posse nomen Dei ad Juramentum assumi. 2. Quod sentiebant in quibusdam obliquis sive indirectis jurandi formulis, ut per Cælum, per caput Juramentum impunè posse violari. Illis igitur persuasio-
bus

huc Christus opponit particulam omnino, quæ ad hanc
 subjectum materiam restringenda est, ut sc. omnino non
 liceat vel directe per Deum, vel indirecte per creaturas,
 vel vane, seu temere, vel falso jurare. Hæc autem pro-
 hibitio Christi non est nova quædam Lex, &c.

ses of that seduced Nation,
 as to the third and eighth
 Commandments, as well as
 he had done already in the
 sixth and seventh. The
 one taught that it was
 Perjury indeed to break an
 Oath, if a man had sworn
 by God; but not, if he
 had only sworn by some
 Creature. And the other
 took advantage of that li-
 berty, and customarily u-
 sed those non-obliging
 Oaths (as they accounted
 them)

them) upon a set design to over-reach their credulous Neighbours. In opposition to which, both Doctrine, and Practise, *Christ* forbids all swearing by *Creatures*, and Teaches (contrary to the Jewish Rabbies) that though such Oaths ought not to be taken; yet being taken are binding, in respect of the *Creatures* relation to the *Creator*; which is the purport of the latter part of this 34, 35, and 36. verses. And Sect. 37. he orders them in place of these sinful Oaths, to use only bare *Affirmations* or *Denials* in their mutual converse. Whereof
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Oaths.
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he gives this reason, that
 whatsoever is superadded
 thereto (as their accustomed
 Oaths:) † cometh of evil, that † Some
 is, either by the suggestion argue
 of Satan that evil one, or thence,
 that

all swearing is unlawful as coming from evil;
 but that is no good Argument. For, first; all swearing
 comes not from evil causally (though occasionally it do)
 because some is commanded by God. Only that swearing
 that comes from a vicious habit in ordinary discourse,
 (whereof our Saviour speaks especially here) or Perjury
 or swearing to wicked purposes, which come from the
 instigation of the Devil, or from mens own malicious, or con-
 trarious Passions: or swearing, when otherwise we cannot be
 believed, either in respect we have been formerly promise-
 breakers: or through incredulity, or want of Charity in
 the hearers (which ordinarily arises out of the conscious-
 ness of their own fraudulency, and deception of others) may
 may be said to come of evils: and so it reaches not all
 Oaths. But secondly, It is not true, that what ever com-
 meth occasionally of evil, is evil it self. For good Laws are
 occasioned by evil manners. And the preservation of Ja-
 cob and his Family from perishing by Famine was good;
 yet it was occasioned by selling of Joseph, which was evil.
 So if a man will not believe what is necessary for him,
 his Oath is good, though his distrust which occasioned it
 be evil.

L

cls

els from their wickedness,
and desire of defrauding
their brethren.

8.3.40

‘ I know that many ju-
‘ dicious Persons have inter-
‘ preted this word *will*, to
‘ be the Incredulity of those
‘ with whom we converse.
‘ But I must crave leave to
‘ dissent from them in this
‘ particular, because that
‘ might be a motive to us to
‘ *Swear*, especially in mat-
‘ ters of importance, when
‘ otherwise we should not
‘ be credited ; but no Rea-
‘ son why we should not
‘ *Swear*. Another mans di-
‘ strust, cannot make mine
‘ Oath unlawfull. Nor is
‘ this

this Argument of any
 force, I ought not to swear,
 because some men will not
 otherwise believe me.
 But if any of a contrary s. 8. 41
 persuasion be not yet sa-
 tisfied, but still urges the
 universality of the expres-
 sion, Swear not at all; and
 that of St. James 5. 12.
*Above all things, my brethren;
 Swear not, neither by Hea-
 ven, neither by the Earth;
 neither by any other Oath. I*
 answer, first to the Texts
 severally; and then to both
 together. To the former,
 it is plain, that they who
 thus argue, break off our
 Saviours Sentence in the
L 2
mid-

'middle, and suffer him not
 'to come to his intended
 'Period, which is wrong,
 'and incivility to an ordi-
 'nary speaker. For he said
 'not, *Swear not at all*, there
 'fixing a point; but, *Swear*
 '*not at all, neither by Heaven,*
 '*&c. nor by Earth, &c.* And
 'it is certain, that the be-
 'ginning of many sentences,
 'were the explanatory
 'words cut off, might ad-
 'mit of a construction (and
 'that with a great show of
 'probability) contrary to
 'the meaning of the Au-
 'thor. For example, *There*
 '*be some* (saith the holy Je-
 '*sus) standing here which shall*
 not

'shall not taste of death, till
 'they see the Son of Man
 'coming in his Kingdome,
 'St. Mat. 16. 28. should
 'any put a full point at
 'Death, and lop off the re-
 'mainder of the sentence,
 'how distant would the
 'sence seem from the in-
 'tending meaning? if any
 'then urge against you,
 'Swear not at all, you may
 'desire him to speak on,
 'and what God has joyned
 'together not to put asun-
 'der.

'And as for that of St. Ser. 42.
 'James, it must of necessity,
 'be understood with Re- Serm 28.
 'friction. St. Austin preach- de Verb. ap. 8.

L 3 'ing

'ing upon that Text, scrup-
 'ples at the first words,
 'Quare ante omnia? jurare
 'pejus est quam furari, &c.
 'quam adulterare, &c. quam
 'hominem occidere? Absit?
 'It cannot be that swearing
 'is worse than forswearing,
 'Theft, Adultery, Murder;
 'nor so ill, if that Father
 'may be judge. These are
 'hainous crimes, nulla u-
 'tem culpa est quæm jurare.
 'But it is no sin to swear the
 'Truth, with due qualifica-
 'tions. Why then above all
 'things, Swear not? Ut vi-
 'giletis ne surrepat vobis con-
 'suetudo jurandi; not that
 'swearing is so great an of-
 'fence

'fence as many others, or
 'indeed any offence at all
 'rightly used; but lest we
 'contract a habit thereof,
 'which we shall be apt to
 'do, if carefully we avoid
 'it not, and then probably
 'by rash Oaths we shall of-
 'fend God, by false swear-
 'ing wrong our Neighbours,
 'by both, damn our souls.
 'And therefore above all
 'things (which is here no
 'more than in † an especial
 'manner) forbear *swearing*. † Quid
 'In like sort, the subsequent est ante
 'words *any other Oath*, must omnia?
 'be understood in a re- Prae-
 teris cau-
 tus esto,
 plus ad
 hoc in-
 sentus

esto, quam ad alia, Aug. Serm. 28. de Verb. Apost.

L4 'strained

strained sense. For there-
 by is not meant any Oath
 whatever; but only such as
 the Apostle there speaks
 of. As therefore it were
 an illogical inference from
 the former part of that
 Verse, to say, that *swearing*
 is worse than Murder, be-
 cause St. James saies, *A-*
bove all things swear not:
 so it is no better a conse-
 quence to say that *swearing*
 by God is unlawful, be-
 cause it is here enjoined,
 that we should not swear
neither by Heaven, neither
by the Earth, neither by a-
ny other Oath, that is, any
 Oath taken by any other
 Crea-

Creature. For so of necessity must the Apostle be understood, unless we so interpret his words, as to make them contradict Gods, and set the *Servant* in a manifest opposition to his *Master*.

Secondly, I answer to *Self. 34* both these Texts *conjunction*, that these Propositions, how universally soever express, ought not in equity to be extended beyond the intention of the Speakers, but to be limited according to the subject matter. *Swear not at all* (says Christ) *neither by Heaven, nor by Earth, &c.* that is, I universally

versally forbid you all those Oaths, which you were wont to use frequently to wicked purposes. And this is not a phancy of our own to evacuate the words of our Saviour : far be that from us ; we rather seek to establish them in the full latitude that they were intended to bear : But to this Restriction of them, the former Reasons do constrain us. If it be said, that then, for all Christs words, we may swear as oft as we please, and that vainly, and falsely too, by God, if only swearing by *Creatures* be here prohibited, which seems

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those seems most absurd. I reply,
 were that these vain, and false
 Oaths *by God*, even by the
 acknowledgment of the
 Pharisees themselves were
 sufficiently forbidden be-
 fore; and so there was no
 need either for *Christ* or *St.*
James to speak of them, nor
 forbid them again. *Christ*
 came neither to make a new
 Law, nor to void, or alter
 what was already establish-
 ed; but to vindicate the
 perfect Law of God from
 the sinful interpretations of
 men. Nor is this exposition
 of these Texts strange, or
 unusual. Other places of
 Scripture must of necessity
 be

be thus interpreted, *as*
 1 Cor. 10. 23. *All things are*
lawful for me. How? is it
 lawful to kill, or steal? no.
 thing less. The Apostle is
 speaking there of things in-
 different, and therefore the
 words there (just in the
 same manner as here) are
 to be restrained to the sub-
 ject matter. All things in
 general are not lawful, but
 all such adiaphorous things
 as the Apostle there dis-
 courses of. So here, all Oaths
 are forbidden, not all in ge-
 neral, but all which our Sa-
 viour, and St. James had oc-
 casion to speak of: many
 like instances might be gi-
 ven.

ven. *There went out to John*
the Baptist all the Land of Ju-
dza, Mar. 15. What? sure
 not all the sick, blind, lame,
 decrepit, bedrid, but some
 from all quarters of the
 Land. *St. Luke* says, he had
 perfect understanding in all Cap. 1.3
 things. What? of all Arts,
 Trades, Professions, Nations,
 Languages, &c. No sure,
 but of all things concerning
 which he was to *Write*. *Aug-*
ustus decreed that *all the*
World should be taxed. But Lu. 2. 1.
 that was no more than that
 part of the World that was
 under his Dominion: For
 the rest was not under his
 command, and at that time
 much

much of the Earth was either not inhabited, or unknown; and all that was not known, was not then subjected to the Roman Empire. We read in the fourth Command, *In it (that is in the Sabbath day) thou shalt do no manner of Work*, or (as it is rendred by our last Translators) *Thou shalt not do any Work*; yet notwithstanding this expression of the most extensive latitude, it is certain that Works of Piety, Charity, or Necessity were not forbidden. So our Saviour saies, *All manner of sin and blasphemy shall be forgiven unto*

Ex. 20.
10.

Mt. 12.
31.

'unto Men; an universal pro-
 'position, which neverthe-
 'less admits of a Restriction;
 'for he immediately adds,
 'that the *blasphemy against*
 'the *Holy Ghost shall not be*
 'forgiven unto men. And be-
 'sides, notwithstanding the
 'generallity of these words,
 'All manner of sin shall be Luc. 130
 'forgiven, we know that no
 'sin shall be forgiven but
 'upon condition of Repen-
 'tance. The woman that
 'was healed by touching
 'the border of Christs gar-
 'ment, St. *Luk.* 8. 47. told
 'him before all the people
 'why she had touched him.
 'How, before all the people
 of

'of the World, or before
 'all the people of the Land?
 'No doubtless, but before
 'all the people there pre-
 'sent. Reason plainly shows
 that these and many like
 Enunciations, how univer-
 sally soever proposed, must
 be restrained according to
 the occasion, and purpose
 of the speaker. And so ac-
 cordingly must these words
 be, *Swear not at all.*

Scil. 44.

'And here the grand ob-
 'jection falls of it self, which
 'is, either all kind of *Swear-*
 'ing is here forbidden, or
 'else Christ notwithstand-
 'ing his words, *But I say un-*
 'to you, forbade nothing
 'which

'which was not forbidden
 before, which is utterly
 improbable. The reason is,
 because God had formerly
 prohibited all false, and
 vain Oaths, and all swear-
 ing by Creatures: all which
 I grant to be true. Never-
 theless, the *Pharisees*, had
 taught the People other-
 wise, and that under a re-
 ligious pretence of a great-
 er Reverence to Gods
 Name. And the practice
 of that Nation, mislead by
 their Teachers, was wide-
 ly distant from the Com-
 mandment, both which
 were very necessary to be

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reformed. Which here our
 Saviour did in these words,
 But I say unto you, I swear not
 at all; Which were not
 spoken in any opposition
 to Gods Law, but to the
 false, and wicked glosses
 of those blind Guides (that
 made the Commandment
 of God of small effect by their
 Tradition) and the leud de-
 deportment of the Peo-
 ple.

Self. 45.

And now I have done, and
 I fear it is more than time to
 have done with the Expoli-
 tion of these words. For
 Application let me address
 my self to you all, who ei-
 ther

ther now, or at some other
time may be legally called
to take your Oaths; which
you have heard vindicated
to be lawful, notwithstanding
the seeming opposition
of these words, *Swear not at
all.* But this must be under-
stood only of just and ne-
cessary Oaths. Hear what
our Saviour saies, *St. Mat.*
5. 20. I say unto you, that
except your righteousnesse
shall exceed the righteous-
nesse of the Scribes and Pha-
risees, ye shall in no case en-
ter into the Kingdome of
Heaven. But they con-
demned Perjury in the

Verse immediately before
 my Text: *Thou shalt not
 forswear thy self.* So then,
 if you swearing by God, do
 not carefully avoid all
 false Oaths, you are, so
 far from exceeding them,
 that you fall much below
 them. And then if they
 shall not enter into Hea-
 ven, what will become of
 these that are much worse?
 For the regulation of your
 Practice in this point, I
 shall commend that Text
 of the Prophet, *Jer. 4. 2.*
And thou shalt swear (here
 is your warrant for swear-
 ing, which thence appears
 to

to be not only *Lawful*, but
 in some cases *Necessary*, be-
 cause commanded) *The*
Lord liveth ; whence you
 learn by whom you are to
 swear, that is, only by the
 Living God. Consider, O
 consider with what fear,
 and reverence, and care of
 the Truth you ought to
 approach into the presence
 of God, whom you call to
 Witness ; that God who
 is your Maker and Pre-
 server ; that God through
 whose Mercies you hope
 to be saved ; that God
 who is the searcher of your
 hearts, and the just Judge,

M 3 and

and severe Revenger of all Perjury. In Truth, in Judgment, and in Righteousness, these three are the qualifications of a lawful Oath; and no Oath is lawful, if it be repugnant to any of these. St. Hierom calls them, the Companions of an Oath, without which, *Nequaquam est juramentum, sed Perjurium*, it is not swearing, but forswearing.

Sec. 45 The first Concomitant of an Oath is Truth, which engages you neither to swear any thing you know false,

false, nor any thing you know not to be true. Ground not your Evidences on surmises, or conjectures, but on your own certain knowledge. *Jurare* (saies St. Ambrose) *judicium scientiæ, testimonium Conscientiæ est.* Use plain, and not ambiguous words, without deceit, partiality, or by respects. Be not transported with fear, favour, or ill will to any Person: Your testimonies are neither to be lamed by concealing ought that's true, nor corrupted with the addition of any falsehood.

In Pf 113
O. 14

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The second is *Judgment*, which admonishes you, that what you speak upon Oath should not be passionate, rash, or inconsiderate; knowing, that whatever Information you give to a Judge upon Earth, you must at the last day be accountable for it to the great Judge of quick, and dead. Be therefore wary, and well-advised what you utter, that neither through wickednesse, nor inconsideration, you pervert Justice, or prejudice their right who

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who may suffer through
your sin, or unadvised-
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The third is *Rightconfesse*, which ought to be
your scope. Accuse not
the innocent, excuse not
the guilty. Remember that,
he that justifieth the wicked,
and he that condemneth
the just, are both abomi-
nation to the Lord, Prov.

17. 15. Be then so consci-
entious in bearing wit-
ness, for, or against o-
thers, that your own
Consciences bear not wit-
ness against you in the
day

day when God shall judge
 the secret of all men by
 Christ Jesus. Consider
 that you do not onely
 speak in the presence of
 God, (and therefore ought
 to regard what you say,)
 but also call him to
 witness with you the
 Truth of your Affirma-
 tions. Think that every
 false Oath is a grievous
 curse, wherein you re-
 nounce the help of your
 Creator, the hope of
 Heaven, your salvation
 by Christs death decla-
 red in the Gospel; and
 by your falshood bid de-
 fiance

fance to the : God of
 Truth. The honour of
 that God in protecting
 the innocent, and pu-
 nishing the wicked, and
 the security of mens per-
 sons, and Estates depend
 much upon your fidelity.
 Seek not by wronging
 others to lose your own
 souls ; these souls for the
 salvation whereof our blef-
 sed Saviour was content
 to shed his dearest blood.
 Let me shut up all in the
 words of the Prophet
 Zech. 8. 16. *Speak ye*
every man the truth to his
Neighbour,

Neighbour : execute the
 Judgment of Truth, and
 Peace in your gates. And
 let none of you imagine evil
 in your hearts against his
 Neighbour, and love no
 false Oaths; for all these are
 things that I hate, saith the
 Lord. May our heavenly
 Father so imprint these
 words in our minds, that
 we may love what he
 loves, hate what he
 hates, and at length may
 be partakers of everlast-
 ing happineſſe, through
 the Merits and Media-
 tion of Christ Jesus, to
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(173)

whom with the *Father*,
and the *Holy Ghost*, three
Persons, and one *God*, be
all honour and glory, now,
and evermore. *Amen*,
Amen.

FINIS. *exand.*